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Human Rights Council
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6–23 June 2017
Agenda item 3

Resolution adopted by the Human Rights Council on 22 June 2017

35/18. Elimination of discrimination against women and girls

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and all other relevant international human rights instruments,

Recalling the Vienna Declaration and Programme of Action, the Programme of Action of the International Conference on Population and Development, the Beijing Declaration and Platform for Action and the outcome documents of their review conferences, the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference,

Recalling also all relevant resolutions and agreed conclusions adopted by the Human Rights Council, the General Assembly, the Security Council, the Commission on the Status of Women and other United Nations agencies and bodies, that consider the issue of discrimination against women,

Welcoming the inclusion of both gender equality and the empowerment of all women and girls as a stand-alone goal and its integration into all goals and targets of the 2030 Agenda for Sustainable Development,[1] and the adoption of the Addis Ababa Action Agenda of the Third International Conference on Financing for Development,[2]

Deeply concerned that no country in the world has yet fully eliminated gender-based discrimination[3] and at the fact that many women and girls everywhere, particularly those who are marginalized or in a vulnerable situation, face multiple and intersecting forms of

[1] General Assembly resolution 70/1.
[2] General Assembly resolution 69/313, annex.
[3] See World Health Organization, "Leading the realization of human rights to health and through health: report of the High-level Working Group on the Health and Human Rights of Women, Children and Adolescents".

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discrimination and are still subject to discriminatory laws and practices, and that de jure and de facto equality has not been achieved,

Expressing profound concern about the backlash against the progress made by civil society, including women's and community-based organizations, feminist groups, women human rights defenders and girls' and youth-led organizations, to fulfil women's human rights,

Recognizing the need for States to accelerate the implementation of strategies that respect, protect and fulfil women's right to the enjoyment of civil, political, economic, cultural and social rights without discrimination by adopting good practices, and affirming that realizing their human rights requires the full, effective and meaningful participation and contribution of women and girls in all aspects of public, political, economic, cultural, social and family life, on an equal footing with men and boys,

Underscoring that international human rights treaties prohibit discrimination on, inter alia, the basis of gender, and that national legislation should adhere to each State's international obligations,

Recognizing that legal provisions related to gender equality create the framework from which women's rights can most comprehensively be promoted, protected and fulfilled, and constitute an essential mechanism for women's and girls' full and equal enjoyment of all human rights, and recognizing also that laws alone are insufficient to eliminate discrimination against women and girls and must be accompanied by supportive and sustainable environments in all sectors of society in which they can be meaningfully implemented,

Recognizing also that discrimination against women and girls is inherently linked to deep-rooted gender stereotypes, that discriminatory attitudes, behaviours, norms, perceptions, customs and harmful practices have direct negative implications for the status and treatment of women and girls, and that gender-biased environments impede the implementation of legislative and normative frameworks that guarantee gender equality and prohibit discrimination against women and girls,

Fully recognizing that the participation of women in public affairs, leadership and decision-making positions is key for advancing women's rights and empowerment and has enabled the development of support and skills to address a democratic deficit due to the history of women's exclusion from public life, including the implementation of all measures to remove all barriers preventing women from being elected,

Emphasizing the significant role that women play in economic development and in the eradication of poverty, while acknowledging that structural barriers to gender equality and gender-based discrimination persist in labour markets worldwide, and stressing the need to promote equal pay for equal work or work of equal value as a critical measure to eliminate the gender pay gap, recognizing women's full and equal access to economic resources, including the equal right to inheritance and ownership of land and other property, to promote decent paid care and domestic work by providing social protection and safe work conditions, and to develop and promote policies that facilitate the reconciliation and sharing of work and family responsibilities for both women and men,

Recognizing that progress has been made in increasing access to education for both boys and girls, in reducing the gender gap in youth literacy, in expanding universal primary education, in particular in developing countries, and in reducing the number of out-of-school children of primary school age worldwide,

Fully recognizing that ending discrimination against women and girls is critical to ensure peace, security, sustainable development and respect for human rights, that everyone benefits from the achievement of gender equality and that the negative impact of gender

inequality and discrimination, including violence against women and girls, is borne by society as a whole, and therefore emphasizing that men and boys, by taking responsibility themselves as agents and beneficiaries of change and by working alongside women and girls, are essential in the achievement of gender equality, the empowerment of women and girls and to efforts to prevent and eliminate all forms of discrimination and violence,

Reaffirming that the human rights of women include a woman's right to have control over and to decide freely and responsibly on matters related to her sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and that equal relationships between women and men in matters of sexual relations and reproduction, including full respect for the dignity, integrity and autonomy of the person, require mutual respect, consent and shared responsibility for sexual behaviour and its consequences,

Recognizing the major contributions made by civil society, including women's and community-based organizations, feminist groups, women human rights defenders and girls' and youth-led organizations, to the development of good practices that place the interests, needs and visions of women and girls on local, national, regional and international agendas, including the 2030 Agenda, and recognizing the importance of having an open, inclusive and transparent engagement with civil society in the implementation of measures on the empowerment of women and girls,

Recognizing also that the identification and the sharing of good practices in the eradication of discrimination against women in law and in practice illustrate the ways and means to implement human rights most effectively in diverse contexts; however, they comprise a complex, multifaceted endeavour involving a wide range of interrelated rights and cannot be considered in isolation from the breadth of actions and actors involved in processes of social change,

Taking note of the Secretary-General's High-level Panel on Women's Economic Empowerment, which stressed that addressing adverse norms and all forms of discrimination, ensuring legal protections and repealing discriminatory laws and regulations, including those related to families, is critical to achieving women's economic empowerment,

1. *Calls upon* States to consider ratifying or acceding to, as a matter of particular priority, the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto, to limit the extent of any reservations and to formulate them as precisely and as narrowly as possible to ensure that no reservations are incompatible with the object and purpose of the Convention, to implement its provisions through appropriate legislation and policies, as applicable, and to take into due account recommendations made by the Committee on the Elimination of Discrimination against Women, the Working Group on the issue of discrimination against women in law and in practice, the Special Rapporteur on violence against women, its causes and consequences, other States during the universal periodic review and other relevant human rights mechanisms, with a view to ensuring the realization of women's human rights;

2. *Takes note* of the report of the Working Group,[4] and calls upon States to take steps to promote reforms and implement legal frameworks and policies directed to achieving gender equality and the elimination of all forms of discrimination against women

[4] A/HRC/35/29.

and girls, taking into consideration the good practices identified in the four thematic reports of the Working Group;[5]

3. *Calls upon* States:

(*a*) To repeal all laws that exclusively or disproportionately criminalize actions or behaviours of women and girls, and laws that discriminate against them, based on any grounds, including any custom, tradition or cultural or religious consideration contrary to the obligation to eliminate discrimination against women and girls;

(*b*) To take measures to ensure that international obligations on gender equality and non-discrimination are incorporated at all levels of the legal framework;

(*c*) To consider reviewing all proposed and existing legislation on the basis of respective international obligations, with a gender-responsive perspective, involving, when necessary, independent experts, women human rights defenders, women's and girls' community-based organizations, feminist groups and youth-led organizations, and other relevant stakeholders;

(*d*) To promote laws and programmes that facilitate good practices relating to women's and girls' empowerment and to the elimination of discrimination against them by conducting systematic, comprehensive and regular gender analysis of the law and programmes and its potential impact;

4. *Urges* States to take all appropriate measures to modify social and cultural patterns of conduct with a view to preventing and eliminating in the public and private spheres patriarchal and gender stereotypes, negative social norms, attitudes and behaviours, and unequal power relations that view women and girls as subordinate to men and boys and that underlie and perpetuate discrimination and violence against women and girls;

5. *Calls upon* States to take steps:

(*a*) To remove barriers, whether political, legal, cultural, economic, institutional or religious, preventing women's full, equal and effective participation in leadership and political and other decision-making positions;

(*b*) To take temporary special measures to support women's participation in and election to government at all levels;

(*c*) To ensure gender-responsive mainstreaming of policymaking processes, including public financial management;

(*d*) To provide training on a rights-based gender analysis for duty holders in all spheres and meaningful collaboration with civil society, including women's and community-based organizations, feminist groups, women human rights defenders and girls' and youth-led organizations;

6. *Urges* States to guarantee women's equal enjoyment of civil, political, economic, social and cultural rights, to take all appropriate steps to eliminate discrimination by any actors, State or non-State, by ensuring equal opportunity through temporary positive measures, where appropriate, including accommodation for gender-specific needs and equal enjoyment of benefits, by recognizing, reducing and redistributing women's disproportionate share of unpaid care and domestic work and by taking steps to facilitate the transition of informal workers, including those engaged in informal paid care and domestic work, to the formal economy, and to extend rights to non-discrimination, paid parental leave and childcare provisions;

[5] A/HRC/23/50, A/HRC/26/39, A/HRC/29/40 and A/HRC/32/44.

7. *Encourages* States to prioritize the allocation of funds, both internationally and domestically, to support women's full and equal enjoyment of all human rights, including by mainstreaming gender equality in the process of conceiving, planning, approving, executing, analysing and ordering budgets, to ensure that their legal and policy commitments bear results, and to implement active and sustained measures to promote good practices in the eradication of discrimination and the promotion of women's and girls' empowerment, including measures focused on attitudinal and behavioural change that cultivate an environment in which good practices in achieving gender equality in law and practice can thrive;

8. *Calls upon* States:

(*a*) To ensure the equal enjoyment of girls and boys to quality education at all levels and the elimination of discriminatory laws and practices, school-related gender-based violence and gender stereotypes that prevent girls from having access to, completing and continuing their education, and to provide incentive mechanisms to this end;

(*b*) To develop and implement programmes that specifically aim to prevent and eliminate gender disparities in enrolment and gender-based bias and stereotypes in education systems, curricula and materials, whether derived from any discriminatory practices, social or cultural attitudes or legal and economic circumstances;

(*c*) To consider adopting good practices to support substantive equality within families through long-term awareness-raising initiatives, especially education and public awareness, including through the media and online, and the incorporation of curricula on women's rights into teacher training courses, including evidence-based, comprehensive sexuality education and gender-based violence prevention;

9. *Also calls upon* States to implement policies to engage, educate, encourage and support men and boys:

(*a*) To take an active part and become strategic partners and allies, alongside women and girls, in the prevention and elimination of all forms of discrimination and violence against women and girls;

(*b*) To be agents and positive role models for addressing discrimination and gender inequality and to promote respectful relationships and equal sharing of work and family responsibilities;

(*c*) To refrain from and condemn all forms of discrimination and violence against women and girls;

(*d*) To increase their understanding of the harmful effects of discrimination and violence on the victim/survivor;

(*e*) To take responsibility and be held accountable for their behaviour, including sexual and reproductive behaviour, and behaviour that perpetuates and normalizes patriarchal attitudes and gender stereotypes that underlie discrimination and violence against women and girls;

10. *Further calls upon* States to ensure access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating discrimination against women and girls, taking into account the multiple, intersecting and aggravating forms of discrimination, including by informing women and girls about their rights under relevant laws, training law enforcement officers and monitoring how they address discrimination and gender inequality, improving the legal system and taking steps to remove all barriers to access to legal counselling, assistance and remedies;

11. *Calls upon* States to progressively realize the full enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, and to eliminate legal, administrative, financial and social barriers that hinder universal access to available, accessible, acceptable, timely, affordable and quality health services for women and girls through gender-responsive national strategies and public-health policies and programmes that are comprehensive, affordable and better targeted to addressing their needs;

12. *Urges* States to ensure the promotion, protection and the fulfilment of all human rights and the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development and the outcome documents of their review conferences and of sexual and reproductive health and reproductive rights in this context, and to promote, protect and fulfil the right of all women to have full control over and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence, including through the removal of legal barriers and the development and enforcement of policies, good practices and legal frameworks that respect the right to decide autonomously in matters regarding their own lives and health, including their bodies, and to ensure universal access to sexual and reproductive health, services, information and education, including for family planning, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care, such as skilled birth attendance and emergency obstetric care, safe abortion where not against national law and the prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers and the integration of sexual and reproductive health into national strategies and programmes;

13. *Also urges* States to create and support an enabling environment for the full participation of women's civil society organizations and women human rights defenders in the creation, design and implementation of all relevant legislation and policies relevant to the human rights of women, as well as when adopting and implementing good practices conducive for the sustainable application of equality and empowerment measures for women, and also to consider the application of the good practices framework for the creation and maintenance of a safe and enabling environment for civil society developed in the report of the United Nations High Commissioner for Human Rights,[6] with a gender-responsive perspective that takes into account the unique position and challenges faced by women human rights defenders;

14. *Calls upon* all States to continue to develop and enhance standards and methodologies at the national and international levels to improve the collection, analysis and dissemination of gender statistics and sex- and age-disaggregated data by strengthening national statistical capacity, including by enhancing the mobilization, from all sources, of financial and technical assistance for enabling developing countries to systematically design, collect and ensure access to high-quality, reliable and timely data disaggregated by sex, age, income and other characteristics relevant in national contexts;

15. *Also calls upon* all States to cooperate with and assist the Working Group on the issue of discrimination against women in law and in practice in its task, to supply all necessary available information requested by it and to give serious consideration to responding favourably to its requests to visit their country to enable it to fulfil its mandate effectively;

[6] A/HRC/32/20.

16. *Invites* relevant United Nations agencies, funds and programmes, in particular the United Nations Entity for Gender Equality and the Empowerment of Women, the treaty bodies and other special procedures, within their respective mandates, and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Working Group in the fulfilment of its mandate, and requests the Working Group to continue to engage with the Commission on the Status of Women, including by participating in its work and formally reporting;

17. *Decides* to continue its consideration of this issue in conformity with its annual programme of work.

36th meeting
22 June 2017

[Adopted without a vote.]

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Resolution adopted by the Human Rights Council on 22 June 2017

35/19. Extreme poverty and human rights

The Human Rights Council,

Recalling that, in accordance with the Universal Declaration of Human Rights and the International Covenants on Human Rights, the ideal of a world in which all human beings can enjoy freedom from fear and want can be achieved only if conditions are created whereby everyone may enjoy his or her economic, social and cultural rights, as well as his or her civil and political rights, and reaffirming in this regard the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Recalling also all previous resolutions on the issue of human rights and extreme poverty adopted by the General Assembly, including resolutions 69/183 of 18 December 2014 and 71/186 of 19 December 2016, and by the Commission on Human Rights, as well as Human Rights Council resolutions, including Council resolutions 2/2 of 27 November 2006, 7/27 of 28 March 2008, 8/11 of 18 June 2008, 12/19 of 2 October 2009, 15/19 of 30 September 2010, 17/13 of 17 June 2011, 21/11 of 27 September 2012 and 26/3 of 26 June 2014, and noting the Declaration on the Right to Development,

Recalling further that, in its resolution 62/205 of 19 December 2007, the General Assembly proclaimed the Second United Nations Decade for the Eradication of Poverty (2008-2017) in order to support, in an efficient and coordinated manner, the internationally agreed development goals relating to poverty eradication, including the Millennium Development Goals,

Recalling that, in its resolution 67/164 of 20 December 2012, the General Assembly took note with appreciation of the guiding principles on extreme poverty and human rights, adopted by the Human Rights Council in its resolution 21/11, as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate,

Reaffirming in this regard the commitments made at relevant United Nations conferences and summits, including those made at the World Summit for Social Development, held in Copenhagen in 1995, at the Millennium Summit, at which Heads of

State and Government committed themselves to eradicate extreme poverty and to halve, by 2015, the proportion of the world's people whose income is less than one dollar a day and of those who suffer from hunger, and at the 2005 World Summit, and welcoming the conclusions of the summit on the Millennium Development Goals, held in New York from 20 to 22 September 2010,

Recalling that, in its resolution 70/1 of 25 September 2015, the General Assembly adopted the 2030 Agenda for Sustainable Development and resolved to end poverty in all its forms and dimensions by 2030, recognizing that eradicating poverty is the greatest global challenge and an indispensable requirement for sustainable development,

Deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and manifestations are particularly severe in developing countries,

Reaffirming that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and that its immediate alleviation and eventual eradication must remain a high priority for the international community, and that the efforts towards the achievement of this goal should be strengthened,

Stressing that respect for all human rights – civil, political, economic, social and cultural rights – which are universal, indivisible and interdependent and interrelated, is of crucial importance for all policies and programmes to effectively fight extreme poverty at the local and national levels,

Recalling its resolutions 5/1, on the institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Welcomes* the work of the Special Rapporteur on extreme poverty and human rights, including his thematic reports and country visits;

2. *Decides* to extend, for a period of three years, the mandate of the Special Rapporteur on extreme poverty and human rights, as set out in Human Rights Council resolution 8/11;

3. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to give high priority to extreme poverty and human rights, to pursue further work in this area in full cooperation with the Special Rapporteur in the various activities, and to continue to provide the Special Rapporteur with all the assistance necessary for the effective fulfilment of his mandate;

4. *Requests* the Special Rapporteur to submit an annual report on the implementation of the present resolution to the General Assembly and to the Human Rights Council, in accordance with their programmes of work;

5. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by the mandate holder, and to respond favourably to the requests of the Special Rapporteur to visit their countries to enable him to fulfil his mandate effectively;

6. *Invites* relevant United Nations agencies, funds and programmes, the treaty bodies and civil society actors, including non-governmental organizations as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate;

7. *Decides* to continue its consideration of the issue of extreme poverty and human rights in accordance with its programme of work.

36th meeting
22 June 2017

[Adopted without a vote.]

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Resolution adopted by the Human Rights Council on 22 June 2017

35/20. Human rights and climate change

The Human Rights Council,

Guided by the Charter of the United Nations, and reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Vienna Declaration and Programme of Action,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[1] including, inter alia, its Goal 13 on taking urgent action to combat climate change and its impact,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recalling all its previous resolutions on human rights and climate change,

Reaffirming the United Nations Framework Convention on Climate Change and the objectives and principles thereof, and emphasizing that parties should, in all climate change-related actions, fully respect human rights as enunciated in the outcome of the sixteenth session of the Conference of the Parties to the Convention,[2]

Reaffirming also the commitment to realize the full, effective and sustained implementation of the United Nations Framework Convention on Climate Change and the Paris Agreement adopted under the Convention,[3] including, in the context of sustainable development and efforts to eradicate poverty, in order to achieve the ultimate objective of the Convention,

Acknowledging that, as stated in the United Nations Framework Convention on Climate Change, the global nature of climate change calls for the widest possible

[1] General Assembly resolution 70/1.
[2] FCCC/CP/2010/7/Add.1, decision 1/CP.16.
[3] See FCCC/CP/2015/10/Add.2, decision 1/CP.21, annex.

cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions, and acknowledging also that article 2, paragraph 2, of the Paris Agreement states that the Agreement will be implemented to reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances,

Noting the invitation by the Conference of the Parties to the United Nations Framework Convention on Climate Change to the Paris Committee on Capacity-building, in managing the 2016–2020 workplan, to take into consideration cross-cutting issues, such as gender-responsiveness, human rights and indigenous peoples' knowledge,[6]

Noting also the importance of the work of the scientific community and the Intergovernmental Panel on Climate Change, including its assessment reports, in support of strengthening the global response to climate change, including considering the human dimension, and indigenous peoples' and traditional knowledge,

Acknowledging that, as stated in the United Nations Framework Convention on Climate Change, responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding an adverse impact on the latter, taking into full account the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty,

Affirming that human rights obligations, standards and principles have the potential to inform and strengthen international, regional and national policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes,

Emphasizing that the adverse effects of climate change have a range of implications, which can increase with greater global warming, both direct and indirect, for the effective enjoyment of human rights, including, inter alia, the right to life, the right to adequate food, the right to the enjoyment of highest attainable standard of physical and mental health, the right to adequate housing, the right to self-determination, the rights to safe drinking water and sanitation and the right to development, and recalling that in no case may a people be deprived of its own means of subsistence,

Recognizing that climate change poses an existential threat for some countries, and recognizing also that climate change has already had an adverse impact on the full and effective enjoyment of human rights enshrined in the Universal Declaration of Human Rights,

Expressing concern that, while these implications affect individuals and communities around the world, the adverse effects of climate change are felt most acutely by those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status, national or social origin, birth or other status and disability,

Recognizing that children, particularly migrant children and children displaced across international borders in the context of the adverse impact of climate change, are among the groups most vulnerable to the adverse impact of climate change, which may seriously affect their enjoyment of the highest attainable standard of physical and mental health, access to education, adequate food, adequate housing, safe drinking water and sanitation,

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[6] See FCCC/CP/2016/10/Add.2, decision 16/CP.22.

Expressing concern that countries lacking the resources for implementing their adaptation plans and programmes of action and effective adaptation strategies may suffer from higher exposure to extreme weather events, in both rural and urban areas, particularly in developing countries, including those in least developed countries and small island developing States,

Welcoming the Paris Agreement adopted under the United Nations Framework Convention on Climate Change, which acknowledges that climate change is a common concern of humankind and that parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity,

Taking into account the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities,

Welcoming the entry into force of the Paris Agreement, and urging parties that have not already done so to ratify the Paris Agreement and the Doha amendment to the Kyoto Protocol,

Welcoming also the establishment of the Task Force on Displacement by the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts established under the United Nations Framework Convention on Climate Change,

Welcoming further the holding of the twenty-third session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be organized by Fiji in Bonn, Germany, in November 2017,

Affirming the need for the continuing implementation of the Sendai Framework for Disaster Risk Reduction 2015–2030, adopted at the Third United Nations World Conference on Disaster Risk Reduction, and its references to human rights,

Noting the importance for some of the concept of "climate justice" when taking action to address climate change,

Taking note of General Assembly resolution 71/1 of 19 September 2016, in which the Assembly adopted the New York Declaration for Refugees and Migrants and the annexes thereto, and Assembly resolution 71/280 of 6 April 2017, in which it adopted the modalities for the intergovernmental negotiations of the global compact for safe, orderly and regular migration,

Recognizing the particular vulnerabilities of migrants and other non-nationals who may face challenges associated with implementing appropriate responses in extreme weather conditions owing to their status and who may have limited access to information and services, resulting in barriers to the full enjoyment of their human rights,

Welcoming the convening at the thirty-fourth session of the Human Rights Council of the panel discussion on the adverse impact of climate change on States' efforts to realize the rights of the child and related policies, lessons learned and good practices, and taking note of the summary report on the panel discussion prepared by the Office of the United Nations High Commissioner for Human Rights,[5]

[5] A/HRC/35/14.

Taking note of the analytical study on the relationship between climate change and the full and effective enjoyment of the rights of the child prepared by the Office of the High Commissioner pursuant to Human Rights Council resolution 32/33 of 1 July 2016,[6]

Emphasizing that climate change affects some children more than other children, including children with disabilities, children on the move, children living in poverty, children separated from their families and indigenous children,

Noting that the human rights obligations and responsibilities as enshrined in the relevant international human rights instruments provide roles for States and other duty bearers, including businesses, to promote, protect and/or respect, as would be appropriate, the rights and best interests of children, when taking action to address the adverse effects of climate change,

Calling upon States to integrate, as appropriate, human rights in their climate actions at all levels, including their national action plans for climate change adaptation and mitigation,

Taking note of the report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment focusing on climate change and human rights,[7]

Emphasizing the importance of implementing the commitments undertaken under the United Nations Framework Convention on Climate Change on mitigation, adaptation and the provision of finance, technology transfer and capacity-building to developing countries, and emphasizing also that realizing the goals of the Paris Agreement would enhance the implementation of the Convention and would ensure the highest possible adaptation and mitigation efforts in order to minimize the adverse impact of climate change on present and future generations,

Noting the establishment and the work of the Climate Vulnerable Forum, and its communiqué, in which it asserted that climate change is a major threat to the enjoyment of human rights and fundamental freedoms,

Noting also the importance of facilitating meaningful interaction between the human rights and climate change communities at both the national and international levels in order to build capacity to deliver responses to climate change that respect and promote human rights, taking into account the Geneva Pledge for Human Rights in Climate Action and other similar efforts,

Noting further the establishment and work of regional and subregional initiatives on climate change,

Noting the work of the State-led Platform on Disaster Displacement and its efforts to follow up on the Nansen Initiative Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change, endorsed by more than 100 States on 13 October 2015, and the Migrants in Countries in Crisis Initiative and its voluntary Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster,

Noting also the work being undertaken in the context of the adverse impact of climate change by international organizations and relevant United Nations agencies and bodies, including the Migration, Environment and Climate Change Division in the International Organization for Migration and Climate Change and Disaster Displacement Unit in the Office of the United Nations High Commissioner on Refugees,

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[6] A/HRC/35/13.

[7] A/HRC/31/52.

1. *Expresses concern* that climate change has contributed and continues to contribute to the increased frequency and intensity of both sudden-onset natural disasters and slow-onset events, and that these events have adverse effects on the full enjoyment of all human rights;

2. *Emphasizes* the urgent importance of continuing to address, as they relate to States' human rights obligations, the adverse consequences of climate change impact for all, particularly in developing countries and the people whose situation is most vulnerable to climate change, including migrants and persons displaced across international borders in the context of the adverse impact of climate change;

3. *Calls upon* States to consider, among other aspects, human rights within the framework of the United Nations Framework Convention on Climate Change;

4. *Calls upon* all States to adopt a comprehensive and integrated approach to climate change adaptation and mitigation policies, consistent with the United Nations Framework Convention on Climate Change and the objective and principles thereof, to address efficiently the economic, cultural and social impact and challenges that climate change represents, for the full and effective enjoyment of human rights for all;

5. *Encourages* the Office of the United Nations High Commissioner for Human Rights and other relevant United Nations agencies with appropriate expertise to provide technical assistance to States, upon their request, to help to better promote and protect human rights when taking action to address the adverse impact of climate change;

6. *Calls upon* States to continue and enhance international cooperation and assistance for adaptation measures to help developing countries, especially those that are particularly vulnerable to the adverse effects of climate change as well as persons in vulnerable situations, including migrants and persons displaced across international borders in the context of the adverse impact of climate change;

7. *Notes* the urgency of protecting and promoting human rights of migrants and persons displaced across international borders, in the context of the adverse impact of climate change, including those from small island developing States and least developed countries;

8. *Also notes* that paragraph 13 of annex II to the New York Declaration for Refugees and Migrants envisages contributions to the process for the global compact on safe, orderly and regular migration from, among other international agencies, the Office of the High Commissioner;

9. *Recognizes* that climate change-related human mobility and human rights are cross-cutting in nature;

10. *Decides* to incorporate into the programme of work of the Human Rights Council, on the basis of the different elements contained in the present resolution, an intersessional panel discussion, and requests the Office of the United Nations High Commissioner for Human Rights to organize an intersessional panel discussion prior to the commencement of phase II of the intergovernmental process leading to the global compact on safe, orderly and regular migration, with the theme "Human rights, climate change, migrants and persons displaced across international borders", focusing on challenges and opportunities in the promotion, protection and fulfilment of human rights of migrants and persons displaced across international borders in the context of the adverse impact of climate change, and invites the participation of States, the Office of the High Commissioner and other relevant United Nations agencies, relevant special procedures of the Human Rights Council and other relevant bodies such as the subsidiary bodies and constituent mechanisms, including the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts of the United Nations Framework Convention on

Climate Change, the United Nations Environment Programme, the International Organization for Migration, the Office of the United Nations High Commissioner for Refugees and the World Meteorological Organization, as well as other relevant stakeholders with appropriate expertise, including national human rights institutions;

11. *Requests* the Office of the United Nations High Commissioner for Human Rights to submit a summary report of the panel discussion to the appropriate mechanisms sufficiently in advance to ensure that it feeds into the stocktaking meeting of the preparatory process leading to the adoption of the global compact on safe, orderly and regular migration and to the work of the Warsaw International Mechanism for Loss and Damage, particularly to the ongoing work of the Task Force on Displacement under the United Nations Framework Convention on Climate Change, noting the potential of the panel discussion to inform these processes, and to submit the summary report also to the Human Rights Council at its thirty-seventh session;

12. *Also requests* the Office of the High Commissioner to undertake research on addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the sudden-onset and slow-onset adverse effects of climate change and the necessary means of implementation of adaptation and mitigation plans of developing countries to bridge the protection gaps and submit a report on the research to the Human Rights Council at its thirty-eighth session;

13. *Invites* the special procedure mandate holders, within their respective mandates, and other relevant stakeholders with appropriate expertise, including academic experts and civil society organizations, to contribute actively to the panel discussion;

14. *Encourages* relevant special procedure mandate holders to continue to consider the issue of climate change and human rights, including the adverse impact of climate change on the full and effective enjoyment of human rights, particularly the human rights of migrants and persons displaced across international borders in the context of the adverse impact of climate change, within their respective mandates;

15. *Calls upon* States to integrate a gender perspective in pursuing mitigation and adaptation responses to the adverse impact of climate change on the full and effective enjoyment of human rights, including those of migrants and persons displaced across international borders in the context of the adverse impact of climate change;

16. *Decides* to consider the possibility of organizing follow-up events on climate change and human rights;

17. *Requests* the Secretary-General and the High Commissioner to provide all the human and technical assistance necessary for the effective and timely realization of the above-mentioned panel discussion and the summary report thereon;

18. *Decides* to remain seized of the matter.

36th meeting
22 June 2017

[Adopted without a vote.]

United Nations A/HRC/RES/35/21

General Assembly

Distr.: General
7 July 2017

Original: English

Human Rights Council
Thirty-fifth session
6–23 June 2017
Agenda item 3

Resolution adopted by the Human Rights Council on 22 June 2017

35/21. The contribution of development to the enjoyment of all human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights and all other relevant human rights instruments,

Recalling also the Vienna Declaration and Programme of Action, the 2005 World Summit Outcome, the Declaration on the Right to Development and the 2030 Agenda for Sustainable Development,[1]

Recalling further Human Rights Council resolution 33/14 of 29 September 2016, in which the Council appointed the Special Rapporteur on the right to development, and his mandate described therein,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Recognizing that development and the realization of human rights and fundamental freedoms are interdependent and mutually reinforcing,

Welcoming the adoption of the 2030 Agenda, including the pledge therein to leave no one behind, and reaffirming that the realization of sustainable development in all its three dimensions contributes to the promotion and protection of human rights for all,

Reaffirming that the 2030 Agenda is an agenda of unprecedented scope and significance, accepted by all countries and applicable to all, and that the Sustainable Development Goals and targets are integrated and indivisible, global in nature and universally applicable, take into account different national realities, capacities and levels of

[1] General Assembly resolution 70/1.

development and respect national policies and priorities, while remaining consistent with relevant international rules and commitments,

Reaffirming also that the existence of extreme poverty inhibits the full and effective enjoyment of human rights and that its immediate alleviation and eventual eradication must remain a high priority for the international community, and that the efforts towards the achievement of this goal should be strengthened,

Reiterating that States should cooperate with each other in ensuring sustainable and inclusive development and eliminating obstacles to development, and that the international community should promote effective international cooperation in this regard,

Recognizing the common aspiration to build a community of shared future for human beings,

1. *Affirms* that development contributes significantly to the enjoyment of all human rights by all;

2. *Calls upon* all countries to realize people-centred development of the people, by the people and for the people;

3. *Calls upon* all States to spare no effort to promote sustainable development, in particular while implementing the 2030 Agenda for Sustainable Development, as it is conducive to the overall enjoyment of human rights;

4. *Welcomes* further efforts to promote development initiatives with the aim of promoting partnerships, win-win outcomes and common development;

5. *Invites* all relevant bodies of the United Nations system to mobilize resources to assist States, as requested, in realizing sustainable and inclusive development;

6. *Requests* the Advisory Committee to conduct a study on the ways in which development contributes to the enjoyment of all human rights by all, in particular on best experiences and practices, and to submit the report to the Human Rights Council before its forty-first session;

7. *Decides* to remain seized of the matter.

36th meeting
22 June 2017

[Adopted by a recorded vote of 30 to 13, with 3 abstentions.* The voting was as follows:

In favour:

Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, Burundi, China, Congo, Côte d'Ivoire, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Ghana, India, Indonesia, Iraq, Kenya, Kyrgyzstan Mongolia, Nigeria, Philippines, Qatar, Rwanda, Saudi Arabia, South Africa, Togo, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of)

* The delegation of Paraguay did not cast a vote.

Against:

Albania, Belgium, Croatia, Germany, Hungary, Japan, Latvia, Netherlands, Portugal, Slovenia, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Georgia, Panama, Republic of Korea]

United Nations A/HRC/RES/35/22

General Assembly

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14 July 2017

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Human Rights Council
Thirty-fifth session
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Agenda item 3

Resolution adopted by the Human Rights Council on 22 June 2017

35/22. Realizing the equal enjoyment of the right to education by every girl

The Human Rights Council,

Guided by the principles and purposes of the Charter of the United Nations,

Reaffirming the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights and other relevant international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

Recalling all relevant Human Rights Council resolutions, in particular resolution 32/20 of 1 July 2016,

Recognizing that the full realization of the right to education for all is an essential condition for achieving sustainable development, and in this regard welcoming the 2030 Agenda for Sustainable Development,[1] including its Sustainable Development Goal 4 on ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all, underlining the commitment therein to eliminate gender disparities in education, and Goal 5 on achieving gender equality, and empowering all women and girls,

Recalling the need to ensure that all children enjoy the right to education and are ensured equal access to quality early childhood development, care and pre-primary education so that they are ready for primary education, the need to eliminate gender disparities in education by 2030, and the need to build and upgrade education facilities that are child-, disability- and gender-sensitive and provide safe, non-violent, inclusive, accessible and effective learning environments for all,

[1] General Assembly resolution 70/1.

Recalling also the Incheon Declaration: Education 2030: Towards inclusive and equitable quality education and lifelong learning for all, adopted at the World Education Forum 2015, held in Incheon, Republic of Korea, from 19 to 22 May 2015,

Noting with appreciation the work carried out by all relevant organs, bodies and mechanisms of the United Nations system within their respective mandates, in particular the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization, the United Nations Entity for Gender Equality and the Empowerment of Women, the United Nations Population Fund and the Office of the United Nations High Commissioner for Human Rights, as well as the efforts of organizations and civil society to promote girls' full and equal enjoyment of the right to education,

Deeply concerned that humanitarian crises and armed conflicts are depriving children of access to education, especially girls, who are two and a half times more likely to be out of school than boys in these settings,

Strongly condemning attacks on and abductions of girls because they attend or wish to attend school, deploring all attacks, including terrorist attacks, on educational institutions as such, their students and staff, and recognizing the negative impact that such attacks have on the progressive realization of the right to education, in particular of girls, while recognizing the obligations of States to provide an enabling and secure environment to ensure the safety of schools,

Reaffirming the equal right of every child to education without discrimination of any kind, and noting the multiple and intersecting forms of discrimination often faced by girls,

Stressing the importance of the contribution of parliamentarians, national human rights institutions and civil society, including non-governmental organizations, to the equal enjoyment of the right to education by every girl,

Recognizing that gender stereotypes about the role of women and girls underpin the obstacles to girls' equal enjoyment of quality education, and that stereotypes are also perpetuated in school curricula and materials,

Determined to give full effect to the right to education and to guarantee that this right is recognized and exercised without discrimination of any kind,

Recognizing that education is a multiplier right that empowers women and girls to claim their human rights, including the right to participate in public life, as well as economic, social and cultural life, and to participate fully in the making of decisions that shape society,

1. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights, prepared pursuant to Human Rights Council resolution 32/20;[2]

2. *Urges* all States:

(*a*) To strengthen and intensify their efforts to take deliberate, concrete and targeted steps to fully realize the equal enjoyment of the right to education by every girl, to eliminate legal, administrative, financial, structural, social and cultural barriers that hinder girls' equal enjoyment of the right to education, and to appropriately ensure non-discrimination in the admission of girls and boys at all levels of education, particularly when designing policy measures, programmes and resource allocations;

[2] A/HRC/35/11.

(*b*) To strengthen and intensify their efforts to prevent and eliminate all forms of school-related violence against girls, and to hold those responsible for those acts accountable;

(*c*) To review, repeal and eliminate, as appropriate, laws, policies and practices that can negatively affect the right to education of every girl, including discriminatory laws, policies, practices, customs, traditions or religious considerations, financial barriers, violence, including sexual violence in the school environment, the worst forms of child labour, and harmful practices, such as female genital mutilation, gender stereotypes, child, early and forced marriage and early pregnancy;

(*d*) To eliminate gender stereotypes from all educational processes, practices and teaching materials, including through periodic review and revision of school curricula, textbooks, programmes and teaching methods, and the inclusion of human rights education, including on gender equality and non-discrimination, as part of the mandatory school curriculum, and to ensure that girls are encouraged to freely choose non-traditional fields of study;

(*e*) To provide adequate access to water and safe, separate and quality sanitation facilities in schools, and to promote appropriate hygiene behaviour, since school water supply and sanitation are essential elements of basic education;

3. *Calls upon* States to place enhanced emphasis on quality education for girls, including catch-up, non-formal and literacy education for those who did not receive formal education, and special initiatives for keeping girls in school through post-primary education, and to promote access to skills and entrepreneurship training for girls;

4. *Encourages* States to support girls' access to skills development by expanding the scope of education and training opportunities ranging from basic digital fluency to advanced technical skills in science, technology, engineering and mathematics, and in information and communications technology;

5. *Also encourages* States to increase investments and international cooperation to provide equal opportunity for all girls to complete free, equitable, inclusive and quality early childhood, primary and secondary education, including by scaling up and strengthening national, regional and international initiatives, as appropriate, such as the United Nations Girls' Education Initiative, the Out-of-School Children Initiative, the Global Partnership for Education and the United Nations Population Fund-United Nations Children's Fund Global Programme to Accelerate Action to End Child Marriage, and to explore additional innovative mechanisms based on models combining public and private resources while ensuring that all education providers are qualified and adequately trained and give due respect to human rights, including the right to education;

6. *Encourages* international cooperation to complement the efforts of States in matters relating to education, in particular with a view to effectively eliminating all forms of discrimination and stereotypes in education, and supports the efforts of the United Nations system in this regard;

7. *Reaffirms* the importance of continuing to develop and enhance standards and methodologies at the national, regional and international levels to improve the collection, analysis and dissemination of gender statistics and data on access to education, in particular access to universal primary education; the gender gap in youth literacy; the number of out-of-school children, and others;

8. *Urges* States to support the efforts of developing countries, in particular least developed countries, to progressively realize the right to education, in particular ensuring the right to education of every girl through allocating appropriate resources, including financial and technical resources, in support of country-led national education plans;

9. *Reaffirms* the importance of enhancing the dialogue between the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the Special Rapporteur on the right to education and other partners that pursue the goals of girls' education with a view to promoting further the right to education of girls in the operational activities of the United Nations system;

10. *Encourages* the High Commissioner and relevant special procedure mandate holders to give the required attention to realizing the equal enjoyment of the right to education by every girl in carrying out their mandates and in their reporting, and to work collectively towards its realization through practical and efficient steps;

11. *Decides* to remain seized of the matter.

36th meeting
22 June 2017

[Adopted without a vote.]

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General Assembly

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Human Rights Council
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6–23 June 2017
Agenda item 3

Resolution adopted by the Human Rights Council on 23 June 2017

35/23. The right of everyone to the enjoyment of the highest attainable standard of physical and mental health in the implementation of the 2030 Agenda for Sustainable Development

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, and recalling the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

Reaffirming also that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing,

Reaffirming further that all human beings are born free and equal in dignity and rights, and recognizing that these rights derive from the inherent dignity of the human person,

Reaffirming that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health is a human right as enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child, as well as, with respect to non-discrimination, in the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities, and that such a right derives from the inherent dignity of the human person,

Recalling Human Rights Council resolution 33/9 of 29 September 2016 and all relevant previous resolutions and decisions on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health adopted by the Council, the General Assembly and the Commission on Human Rights,

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Recalling also the Declaration on the Right to Development, which, inter alia, establishes that States should take, at the national level, all measures necessary for the realization of the right to development and should ensure, inter alia, equality of opportunity for all in their access to basic resources, such as health-care services,

Reaffirming World Health Assembly resolutions 69.1 of 27 May 2016, on strengthening essential public health functions in support of the achievement of universal health coverage, 69.11 of 28 May 2016, on health in the 2030 Agenda for Sustainable Development, and 70.15 of 31 May 2017, on promoting the health of refugees and migrants,

Reaffirming also General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which the Assembly adopted the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, recognizing that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, and envisaging a world free of poverty, hunger, disease and want, a world of universal respect for human rights and human dignity that includes equitable and universal access to health-care services and social protection, and where physical, mental and social well-being are assured,

Recognizing that the 2030 Agenda is guided by the purposes and principles of the Charter, including full respect for international law, and is grounded in the Universal Declaration of Human Rights, international human rights treaties, the United Nations Millennium Declaration and the 2005 World Summit Outcome, and is informed by other instruments, such as the Declaration on the Right to Development,

Reaffirming that the Goals and targets of the 2030 Agenda are integrated and indivisible, balance the three dimensions of sustainable development, namely, the economic, social and environmental, seek to achieve gender equality and the empowerment of women and girls, and are global in nature and universally applicable, taking into account different national realities, capacities and levels of development and respecting national policy space and priorities,

Welcoming the Sustainable Development Goals, including, inter alia, Goal 3, on ensuring healthy lives and promoting well-being for all at all ages, and its specific and interlinked targets, as well as other health-related Goals and targets,

Welcoming also the inclusion of gender equality and empowerment of all women and girls as a stand-alone goal, and its integration into all Goals and targets of the 2030 Agenda and throughout the implementation process,

Recognizing, in particular, the commitments made by States in the 2030 Agenda to leave no one behind, and to endeavour to reach the furthest behind first, founded on the dignity of the human person, and reflecting the principles of equality and non-discrimination,

Reaffirming the right of refugees and migrants to the enjoyment of the highest attainable standard of physical and mental health,

Concerned about the interrelatedness between poverty and the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, in particular the fact that ill health can be both a cause and a consequence of poverty,

Recognizing the need for States to address the social, economic and environmental determinants of health, as well as to address holistically a range of barriers arising from inequality and discrimination that impede access to health-care services,

Noting with concern that, for millions of people throughout the world, especially for women and girls, the full enjoyment of the right to the highest attainable standard of physical and mental health remains a distant goal,

Recognizing that women, youth, children, indigenous persons, older persons, persons with disabilities, persons living with HIV and people of African descent face particular challenges and multifaceted and intersecting forms of discrimination in the enjoyment of the right to the highest attainable standard of physical and mental health,

Deeply concerned that persons with mental health conditions or psychosocial disabilities, in particular persons using mental health services, may be subject to, inter alia, widespread discrimination, stigma, prejudice, violence, social exclusion and segregation, unlawful or arbitrary institutionalization, overmedicalization and treatment practices that fail to respect their autonomy, will and preferences,

Deeply concerned also that, despite the impressive reductions in maternal mortality rates achieved since 1990, according to the World Health Organization, in 2015, there were an estimated 303,000 maternal deaths of women and girls, which were largely preventable, and that many more women and girls suffer serious and sometimes lifelong injuries, which have severe consequences for their enjoyment of their human rights and their overall well-being,

Deeply concerned further that more than 5,900,000 children under 5 years of age die each year, mostly from preventable and treatable causes, owing to inadequate access or lack of access to integrated and quality maternal, newborn and child health-care services, to early childbearing, and to health determinants, such as safe drinking water and sanitation, safe and adequate food and nutrition, and that mortality remains highest among children belonging to the poorest and most marginalized communities,

Regretting the high number of people still without access to affordable, safe, efficacious and quality medicines, vaccines, diagnostics and medical devices, underscoring that improving such access could save millions of lives every year, and noting with deep concern that, according to the World Health Organization in its World Medicines Situations Report of 2011, at least one third of the world's population has no regular access to medicines, while recognizing that the lack of access to medicines is a global challenge that affects people not only in developing countries but also in developed countries, even though the disease burden is disproportionately high in developing countries,

Noting with concern that approximately 54 per cent of persons living with HIV are in need of treatment, many of whom do not know their HIV status,

Concerned at the instances of multiple or aggravated forms of discrimination, stigma, violence and abuses that affect the enjoyment of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and recalling the importance that States adopt or strengthen laws, policies and practices to eradicate any form of discrimination, stigma, violence and abuse in health-care services,

Recognizing that universal health coverage implies that all people have access without discrimination to nationally determined sets of the needed promotive, preventive, curative, palliative and rehabilitative essential health-care services, including sexual and reproductive health-care services, and essential, safe, affordable, efficacious and quality medicines, vaccines, diagnostics and medical devices, while ensuring that the use of these services does not expose the users to financial hardship, with a special emphasis on the poor, vulnerable and marginalized segments of the population,

Underscoring that the full realization of human rights and fundamental freedoms for all, including the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, contributes to the efforts to implement the health-related

Sustainable Development Goals, while recognizing that, inter alia, discrimination, stigma, corruption, violence and abuse are major obstacles in this regard,

Underscoring also that the implementation of the health-related Sustainable Development Goals contributes to the full realization of human rights and fundamental freedoms for all, including the right of everyone to the enjoyment of the highest attainable standard of physical and mental health,

Stressing the importance of strengthening the meaningful participation of women in decision-making processes and developing gender-sensitive multisectoral health policies and programmes in order to address their needs,

Recognizing the need for States, in cooperation with international organizations and civil society, including non-governmental organizations and the private sector, to create favourable conditions at the national, regional and international levels to ensure the full and effective enjoyment of the right of everyone to the highest attainable standard of physical and mental health,

Recognizing also the positive contribution of the work of the Human Rights Council, including through its universal periodic review mechanism, to national, regional and global efforts for the implementation of the Sustainable Development Goals and targets,

1. *Takes note* of the report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on the 2030 Agenda for Sustainable Development;[1]

2. *Calls upon* States to respect, protect and fulfil the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with special attention to groups in vulnerable situations;

3. *Urges* States to work towards the full implementation of all Sustainable Development Goals and targets with a view to contributing to the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including, inter alia, the following targets of the 2030 Agenda for Sustainable Development:

Target 3.1: By 2030, reduce the global maternal mortality ratio to less than 70 per 100,000 live births;

Target 3.2: By 2030, end preventable deaths of newborns and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births;

Target 3.3: By 2030, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases;

Target 3.4: By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being;

Target 3.5: Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol;

Target 3.6: By 2020, halve the number of global deaths and injuries from road traffic accidents;

[1] A/71/304.

Target 3.7: By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes;

Target 3.8: Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all;

Target 3.9: By 2030, substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination;

Target 3.a: Strengthen the implementation of the World Health Organization Framework Convention on Tobacco Control in all countries, as appropriate;

Target 3.b: Support the research and development of vaccines and medicines for the communicable and non-communicable diseases that primarily affect developing countries, provide access to affordable essential medicines and vaccines, in accordance with the Doha Declaration on the TRIPS Agreement and Public Health, which affirms the right of developing countries to use to the full the provisions in the Agreement on Trade-Related Aspects of Intellectual Property Rights regarding flexibilities to protect public health, and, in particular, provide access to medicines for all;

Target 3.c: Substantially increase health financing and the recruitment, development, training and retention of the health workforce in developing countries, especially in least developed countries and small island developing States;

Target 3.d: Strengthen the capacity of all countries, in particular developing countries, for early warning, risk reduction and management of national and global health risks; and

Target 5.6: Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences;

4. *Also urges* States to bring their laws, policies and practices, including their strategies towards the implementation of the health-related Sustainable Development Goals, fully into compliance with their obligations under international human rights law, and to review and, where necessary, repeal those that are discriminatory;

5. *Encourages* States to promote the effective, full and meaningful participation of all, in particular of those in vulnerable situations, in the design, implementation and monitoring of law, policies and programmes relevant to realizing the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and to implementing the health-related Sustainable Development Goals, including strategies for universal health coverage;

6. *Also encourages* States, when monitoring progress in the implementation of the health-related Sustainable Development Goals, to use high-quality, timely and reliable data, disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts, while respecting human rights principles, including participation, self-identification, transparency, privacy and accountability;

7. *Further encourages* States to empower users of health-care services to know and demand their rights, including through health and human rights literacy, and to provide human rights education and training for health workers, with special focus on non-discrimination, free and informed consent, confidentiality, privacy and the duty to provide treatment, and to exchange best practices in this regard;

8. *Encourages* States, when reporting on the implementation of the Sustainable Development Goals to the high-level political forum on sustainable development, to include in their national voluntary reports references to the human rights dimension, in particular to the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

9. *Calls upon* the international community to continue to assist developing countries in promoting the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including through access to medicines, in particular essential medicines, vaccines, diagnostics and medical devices that are affordable, safe, efficacious and of quality; financial and technical support and training of personnel, while recognizing that the primary responsibility for promoting and protecting all human rights rests with States; and recognizes the fundamental relevant importance of the transfer of environmentally sound technologies on favourable terms, including on concessional and preferential terms, as mutually agreed;

10. *Calls upon* States to fulfil their respective official development assistance commitments, including the commitments by many developed countries to achieve the target of 0.7 per cent of gross national income for official development assistance, and urges those developed countries that have not done so to make concrete efforts in this regard in accordance with their commitments;

11. *Encourages* the Special Rapporteur, while considering the many ways towards the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, to continue to focus on the human rights dimension that could contribute to the effective implementation of the health-related Sustainable Development Goals and targets;

12. *Also encourages* the Special Rapporteur to continue to advise States, intergovernmental organizations, civil society, the private sector and other stakeholders on effective and sustainable practices to respect, protect and fulfil the right of everyone to the enjoyment of the highest attainable standard of physical and mental health in the implementation of the 2030 Agenda, and to follow up and participate in relevant international forums and major events in this regard, including the annual sessions of the World Health Assembly and of the high-level political forum;

13. *Requests* the United Nations High Commissioner for Human Rights to prepare a report that presents contributions of the right to health framework to the effective implementation and achievement of the health-related Sustainable Development Goals, identifying best practices, challenges and obstacles thereto, and to submit it to the Human Rights Council at its thirty-eighth session;

14. *Encourages* the High Commissioner, when elaborating the above-mentioned report, to consult and take into account the views of Member States and all relevant stakeholders, including relevant United Nations bodies, agencies, funds and programmes, especially the World Health Organization, the treaty bodies, special procedure mandate holders, national human rights institutions and civil society, as well as their work on the issue;

15. *Calls upon* States and all relevant stakeholders, including relevant United Nations bodies, agencies, funds and programmes, treaty bodies, special procedure mandate holders, national human rights institutions and civil society, to contribute to the report of the High Commissioner.

37th meeting
23 June 2017

[Adopted without a vote.]

United Nations A/HRC/RES/35/24

General Assembly

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Human Rights Council
Thirty-fifth session
6–23 June 2017
Agenda item 3

Resolution adopted by the Human Rights Council on 23 June 2017

35/24. Human rights in cities and other human settlements

The Human Rights Council,

Guided by the Universal Declaration of Human Rights, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international human rights instruments,

Considering that the world urban population currently accounts for more than half of the global population and that, by 2050, the number of people living in urban areas is expected to nearly double, increasing this proportion to two thirds of the global population and thus making urbanization one of the twenty-first century's most transformative trends,

Recalling relevant resolutions of the Human Rights Council, in particular resolutions 31/9 of 23 March 2016, 33/10 of 29 September 2016, 34/9 of 23 March 2017 and 34/20 of 24 March 2017, and the resolutions of the General Assembly on the implementation of the outcome of the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) and the strengthening of the United Nations Human Settlements Programme, including resolutions 71/235 of 21 December 2016 and 71/256 of 23 December 2016,

Recognizing the need to build peaceful, just and inclusive societies that are based on respect for human rights, including the right to development,

Taking fully into account the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, the Paris Agreement adopted under the United Nations Framework Convention on Climate Change, the Sendai Framework for Disaster Risk Reduction 2015–2030, the Vienna Programme of Action for Landlocked Developing Countries for the Decade 2014–2024, the SIDS Accelerated Modalities of Action (SAMOA) Pathway, the Istanbul Programme of Action for the Least Developed Countries for the Decade 2011–2020, the Rio Declaration on Environment and Development, the World Summit on Sustainable Development, the World Summit for Social Development, the Programme of Action of the International Conference on

Population and Development, the Beijing Platform for Action, the United Nations Conference on Sustainable Development and the follow-up to these conferences,

Welcoming the adoption of the outcome document of the United Nations Conference on Housing and Sustainable Urban Development (Habitat III), entitled "New Urban Agenda", which is grounded in the vision that aims to achieve cities and human settlements where all persons are able to enjoy equal rights and opportunities, as well as their fundamental freedoms, guided by the purposes and principles of the Charter of the United Nations, including full respect for international law,

Noting the efforts of some national and local governments to enshrine this vision, referred to as "right to the city", in their legislation, political declarations and charters,

Reaffirming that all human rights are universal, indivisible, interrelated and interdependent,

Noting that there are specific challenges in the promotion and protection of human rights in cities and other human settlements,

Underscoring the need for an intersectoral, sustainable, resilient, integrated, people-centred, age- and gender-responsive approach, based on international human rights law, in the planning, formulation, development and execution of urban policies at all levels of governance,

Bearing in mind that, in order to break the cycle of intergenerational poverty and vulnerability, positive action needs to be taken, including in the form of policies that address existing inequalities in the distribution of services, resources and infrastructure, as well as access to food, health, education and decent work in cities and other human settlements,

Underlining that the promotion of a human rights culture within public services, as well as public servants' knowledge, training and awareness, play a vital role in promoting respect for and the realization of human rights in society, and stressing the importance in this regard of human rights education and training for public servants at the local government level,

Commending and taking into consideration the urban dimension of the 2030 Agenda for Sustainable Development, particularly Sustainable Development Goal 11, on making cities and human settlements inclusive, safe, resilient and sustainable, and the importance of sustainable urban development as a critical step for realizing sustainable development in an integrated and coordinated manner at the global, regional, national, subnational and local levels, with the participation of all relevant stakeholders,

Recognizing the importance of the existing mandate of the United Nations Human Settlements Programme as a focal point for sustainable urbanization and human settlements, in collaboration with other United Nations system entities, including its role in providing substantive and technical support to developing countries in areas related to sustainable cities and human settlements as reflected in, inter alia, the New Urban Agenda,

1. *Reaffirms* the vision of cities for all, referring to the equal use and enjoyment of cities and human settlements, seeking to promote inclusivity and ensure that all inhabitants, of present and future generations, without discrimination of any kind, are able to inhabit and produce just, safe, healthy, accessible, affordable, resilient and sustainable cities and human settlements to foster prosperity and quality of life for all, that envisages cities and human settlements that, inter alia, fulfil their social function;

2. *Also reaffirms* the need to promote equitable, affordable and accessible sustainable basic physical and social infrastructure for all, without discrimination, including affordable serviced land, adequate housing, modern and renewable energy, safe drinking

water and sanitation, safe, nutritious and adequate food, waste disposal, sustainable mobility, health care and family planning, education, culture, and information and communications technology, while ensuring that these services adhere to the human rights obligations of States and respond to the needs of women, children and youth, older persons and persons with disabilities, migrants, indigenous peoples, local communities and others that are in vulnerable situations, and in this regard encourages the elimination of legal, institutional, socioeconomic and physical barriers;

3. *Reiterates* that each country has primary responsibility for its own economic and social development and that the role of national policies and development strategies cannot be overemphasized, respecting each country's policy space and leadership to implement policies for poverty eradication and sustainable development, while remaining consistent with relevant international rules and commitments;

4. *Encourages* States to strengthen urban governance, as appropriate, and urban-rural linkages, with sound institutions and mechanisms that empower and include relevant urban and related rural stakeholders, as well as appropriate checks and balances, providing predictability and coherence in urban development plans to enable social inclusion, sustained, inclusive and sustainable economic growth and environmental protection;

5. *Urges* States to take deliberate and effective steps to foster the progressive realization of the right to adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, by ensuring legal security of tenure which guarantees legal protection against forced eviction, harassment and other threats, and developing and implementing, at all levels, integrated housing policy approaches that address the strong links between education, employment, housing and health, preventing exclusion, discrimination and segregation, and by promoting inclusive slum upgrading and prevention strategies that go beyond physical and environmental improvements to ensure that slums and informal settlements are integrated into the political, social, cultural and economic dimensions of cities;

6. *Also urges* States to consider promoting, adapting and implementing road safety policies to protect persons in vulnerable situations, in particular children, youth, older persons and persons with disabilities, in line with relevant United Nations legal instruments, as appropriate, including the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities;

7. *Further urges* States to promote safe, inclusive, accessible, green and quality public spaces equally accessible to all without discrimination, that are multifunctional areas for social interaction and inclusion, human health and well-being, and also promote economic exchange and cultural expression and dialogue among a wide diversity of people and cultures, and that are designed and managed to ensure human development and build peaceful, inclusive and participatory societies;

8. *Urges* States to promote a safe, healthy, inclusive and secure environment in cities and human settlements enabling everyone to live, work and participate in urban life without fear of violence and intimidation, taking into account vulnerability and cultural factors in the development of policies concerning public security and crime and violence prevention, including by preventing and countering the stigmatization of specific groups as posing inherently greater security threats;

9. *Reaffirms* that the human rights to safe drinking water and sanitation as components of the right to an adequate standard of living are essential for the full enjoyment of the right to life as well as all other human rights;

10. *Invites* States to promote adequate public and private investments in protective, accessible and sustainable infrastructure and service provision systems for

water, sanitation and hygiene, sewage, solid waste management, urban drainage, reduction of air pollution and storm water management, and to seek to ensure that this infrastructure is climate resilient and forms part of integrated urban and territorial development plans, including housing and mobility, among others;

11. *Calls upon* States to foster ecosystem-based solutions, including in areas that support cities and human settlements, to ensure sustainable consumption and production and waste management patterns, in line with Sustainable Development Goal 12, so that the ecosystem's regenerative capacity is not exceeded, with a view to addressing the unprecedented threats faced by cities and human settlements from loss of biodiversity, pressure on ecosystems, pollution, natural and human-made disasters, and climate change and its related risks, noting that these threats undermine the efforts to end poverty in all its forms and dimensions and to achieve sustainable development;

12. *Recognizes* the need to move from reactive to more proactive risk-based, all-hazards and all-of-society approaches to reduce disaster risks and build resilience in cities and other human settlements by promoting the mainstreaming of disaster risk assessments into land-use policy development and implementation, including urban planning, and integrating "build back better" principles into the post-disaster recovery process, as well as to build the capacity of local authorities to develop and implement disaster risk reduction and response plans, such as risk assessments on the location of current and future public facilities, and formulate adequate contingency and evacuation procedures in line with the Sendai Framework for Disaster Risk Reduction 2015–2030;

13. *Stresses* the commitment of States to ensure full respect for the human rights of refugees, internally displaced persons and migrants, regardless of their migration status, and to support their host cities in the spirit of international cooperation, taking into account national circumstances, and recognizes that, although the movement of large populations into towns and cities poses a variety of challenges, it can also bring significant social, economic and cultural contributions to urban life;

14. *Reaffirms* the commitments on means of implementation included in the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, and *invites* international multilateral financial institutions, regional development banks, development finance institutions and cooperation agencies to provide financial support, including through innovative financial mechanisms, to programmes and projects for implementing the New Urban Agenda, particularly in developing countries;

15. *Encourages* relevant special procedure mandate holders, in fulfilling their respective mandates, to submit proposals that could support States in the implementation of the New Urban Agenda and Sustainable Development Goal 11;

16. *Underscores* the importance of the high-level meeting of the General Assembly, to be convened by the President of the Assembly during the seventy-first session of the Assembly, to discuss the effective implementation of the New Urban Agenda and the positioning of the United Nations Human Settlements Programme in this regard.

57th meeting
23 June 2017

[Adopted without a vote.]

United Nations A/HRC/RES/35/25

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Agenda item 3

Resolution adopted by the Human Rights Council on 23 June 2017

35/25. The negative impact of corruption on the enjoyment of human rights

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council, including Council resolutions 19/20 of 23 March 2012 and 31/14 of 23 March 2016, on the role of good governance in the promotion and protection of human rights, 21/13 of 27 September 2012, on a panel discussion on the negative impact of corruption on the enjoyment of human rights, 23/9 of 13 June 2013 and 29/11 of 2 July 2015,

Recalling also that the United Nations Convention against Corruption, to which 140 States are signatories and 181 States are parties, has been the most comprehensive and universal instrument on corruption since its entry into force on 14 December 2005, and the purposes of which are outlined in its article 1,

Noting with interest the outcomes of the third, fourth and fifth sessions of the Conference of the States Parties to the United Nations Convention against Corruption, held, respectively, in Doha in 2009, in Marrakech, Morocco, in 2011, in Panama City in 2013, and the sixth session of the Conference, held in Saint Petersburg, Russian Federation, in 2015, as well as plans to convene the seventh session of the Conference in Vienna in 2017, and stressing the need for States parties to the Convention to ensure the effective implementation of the resolutions adopted by the Conference,

Noting the compilation of best practices of efforts to counter the negative impact of corruption on the enjoyment of all human rights developed by States, national human rights institutions, national anti-corruption authorities, civil society and academia, prepared by the

Office of the United Nations High Commissioner for Human Rights and submitted to the Council at its thirty-second session,[1]

Reaffirming that States have the primary responsibility for the promotion and protection of human rights,

Recognizing that the international legal frameworks for protecting human rights and fighting corruption are complementary and mutually reinforcing,

Recognizing also that improvements in the promotion and protection of human rights at the domestic level have a central role to play in the prevention of and the fight against corruption at all levels,

Recognizing further that good governance and the rule of law, and the promotion and protection of human rights and fundamental freedoms, including the right to seek, receive and impart information, the right to take part in the conduct of public affairs and the right to a fair trial before a competent, independent and impartial court, established by law, are essential to domestic efforts to prevent and fight against corruption,

Highlighting the global character of corruption and the consequential need for international cooperation to prevent and suppress corruption and to recover assets of illicit origin derived from acts of corruption,

Recognizing the increasing awareness in the international community of the detrimental impact of widespread corruption on human rights through both the weakening of institutions and the erosion of public trust in government, and through the impairment of the ability of Governments to fulfil all their human rights obligations and to realize, within the maximum available resources, the Sustainable Development Goals,

Welcoming the 2030 Agenda for Sustainable Development,[2] including its recognition of the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights, on effective rule of law and on good governance at all levels, and on transparent, effective and accountable institutions, and its addressing of factors that give rise to violence, insecurity and injustice, such as inequality, corruption, poor governance and illicit financial and arms flows,

Acknowledging that marginalized groups are at particular risk of suffering from the adverse impact of corruption on the enjoyment of human rights,

Recognizing that such an adverse impact can lead to and be further aggravated by discrimination,

Stressing that preventive measures are one of the most effective means of countering corruption and of avoiding its negative impact on the enjoyment of human rights, and underlining that those measures should be strengthened at all levels,

Recognizing the importance of creating a safe and enabling environment for civil society, whistle-blowers, witnesses, anti-corruption activists, journalists, prosecutors, lawyers and judges, and of protecting these individuals from any threats arising from their activities in preventing and fighting against corruption,

Underlining the importance of an independent and impartial judiciary, an independent legal profession, an objective and impartial prosecution and the integrity of the judicial system to prevent and fight corruption and to address its negative impact on human

[1] A/HRC/32/22.

[2] General Assembly resolution 70/1.

rights, in line with rule of law and the right to a fair trial, to access to justice and to an effective remedy, without discrimination,

Stressing the importance of setting up an appropriate legal framework to safeguard human rights while preventing and fighting corruption,

Emphasizing that human rights education and awareness-raising campaigns and other measures are important enablers for the prevention of and the fight against corruption,

Acknowledging that the State should protect against any adverse human rights impact arising from acts of corruption involving non-State actors, including the private sector, through effective regulatory and investigative mechanisms, with a view to holding perpetrators to account, recovering assets of illicit origin derived from acts of corruption and providing redress to victims,

Highlighting that States shall, in accordance with their respective legal systems, endeavour to establish and promote effective practices aimed at the prevention of corruption and its impact on the enjoyment of human rights, and to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption, including by ensuring transparency, access to public information, accountability, non-discrimination and meaningful participation in the conduct of public affairs,

Observing that corruption frequently results in discriminatory access to public services and goods, and renders those in vulnerable situations more prone to adversely suffering from the negative social and environmental impact of economic activities,

Highlighting that national human rights institutions could play an important role in raising awareness and promoting educational and training activities regarding the impact of corruption on human rights, through their complaint procedures, investigations and analysis,

Highlighting also the opportunities provided by information and communications technology to strengthen transparency and accountability, as well as to prevent, detect and investigate corruption,

Stressing the importance of indicators, as appropriate, for measuring the negative impact of corruption on the enjoyment of human rights and on the realization of the Sustainable Development Goals,

Underlining the importance of mainstreaming anti-corruption efforts into national development strategies and processes in order to address corruption and to achieve the Sustainable Development Goals,

Welcoming the engagement of States parties to the United Nations Convention against Corruption through appropriate measures, such as the development of national plans of action to strengthen implementation of the Convention at the domestic level and participation in the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, aimed at identifying gaps and assisting countries in meeting the objectives of the Convention,

Recalling the final report of the Human Rights Council Advisory Committee on the issue of the negative impact of corruption on the enjoyment of human rights,[3]

[3] A/HRC/28/73.

1. *Urges* States that have not yet done so to consider ratifying the United Nations Convention against Corruption, and calls upon States parties to the Convention to effectively implement it;

2. *Welcomes* the commitments made by all States in Sustainable Development Goal 16 and its target 16.5 to substantially reduce corruption and bribery in all their forms;

3. *Underlines* the necessity to step up cooperation and coordination among different stakeholders at the national, regional and international levels to fight corruption in all its forms as a means of contributing positively to the promotion and protection of human rights;

4. *Stresses* that preventive measures are one of the most effective means of countering corruption and of avoiding its negative impact on the enjoyment of human rights;

5. *Urges* States to create and maintain, in law and in practice, while addressing the negative impact of corruption on the enjoyment of human rights, a safe and enabling environment in which civil society can operate free from hindrance and insecurity;

6. *Calls for* the strengthening of preventive measures at all levels, and underlines that one key aspect of preventive measures is to address the needs of those in vulnerable situations who may be the first victims of corruption;

7. *Recognizes* that the negative impact of corruption on human rights and sustainable development can be addressed and prevented through anti-corruption education, and notes with appreciation the capacity-building activities and specialized curricula developed by relevant institutions, such as the United Nations Office on Drugs and Crime and the International Anti-Corruption Academy;

8. *Encourages* national anti-corruption authorities and national human rights institutions, where they exist, to cooperate through the exchange of information, where appropriate, and the development of joint strategies and plans of action to fight corruption and its negative impact on the enjoyment of human rights;

9. *Stresses* that international cooperation can contribute to the prevention of the negative impact of corruption on the enjoyment of human rights, including through the delivery of advisory services, technical assistance and capacity-building, and the exchange of best practices to support States, upon their request, in their efforts to prevent and to fight corruption;

10. *Invites* the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime, as the secretariat of the Conference of the States Parties to the United Nations Convention against Corruption, to exchange views and to keep each other abreast of ongoing activities to deepen the understanding of the nexus between corruption and human rights;

11. *Encourages* the mechanisms of the Human Rights Council to consider, within their existing mandates, the issue of the negative impact of corruption on the enjoyment of human rights;

12. *Requests* the Office of the High Commissioner to organize, before the thirty-ninth session of the Human Rights Council, in coordination with the United Nations Office on Drugs and Crime and with the participation of relevant United Nations entities, an intersessional, half-day open-ended expert workshop, with the objective of exchanging best practices on how the United Nations system supports States in preventing and fighting against corruption, with a focus on human rights;

13. *Requests* the Office of the High Commissioner to prepare a summary report of the above-mentioned seminar, and to submit the report to the Human Rights Council at its forty-first session.

37th meeting
23 June 2017

[Adopted without a vote.]

United Nations A/HRC/RES/35/26

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Resolution adopted by the Human Rights Council on 23 June 2017

35/26. The human rights situation in the Syrian Arab Republic

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming all previous Human Rights Council resolutions on the Syrian Arab Republic,

Reaffirming also its strong commitment to the full respect of the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Demanding that the Syrian authorities meet their responsibility to protect the Syrian population,

Condemning the grave deterioration of the human rights situation and the indiscriminate or deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that foment sectarian tensions,

Reiterating that the only sustainable solution to the current conflict in the Syrian Arab Republic is through an inclusive, Syrian-led and Syrian-owned political process under the auspices of the United Nations, based on the Geneva communiqué of 30 June 2012 as endorsed by the Security Council in its resolutions 2118 (2013) of 27 September 2013, 2254 (2015) of 18 December 2015 and 2268 (2016) of 26 February 2016 and relevant statements of the International Syria Support Group,

Expressing full support for the efforts of the Special Envoy of the Secretary-General for Syria to facilitate an inclusive and Syrian-led process in accordance with the Geneva communiqué and Security Council resolution 2254 (2015), with a view to establishing credible, inclusive and non-sectarian governance, in accordance with the aforementioned documents, and urging the Special Envoy to continue to push the parties to negotiate a political transition,

Welcoming Security Council resolution 2336 (2016) of 31 December 2016, and supporting the efforts of Turkey and the Russian Federation to reduce levels of violence in the Syrian Arab Republic by helping to establish the ceasefire announced on 29 December 2016,

Supporting all efforts to reduce the violence in the Syrian Arab Republic, including the Astana talks, and hoping that, in particular, the initiative of the Astana guarantors to establish de-escalation areas in the Syrian Arab Republic will lead to a sustained reduction in violence,

Demanding that all parties to the ceasefire in the Syrian Arab Republic fulfil their commitments, and urging all Member States, especially the members of the International Syria Support Group, to use their influence with the parties to ensure the fulfilment of the ceasefire and to support efforts to render the ceasefire durable and to end violations, which is essential to achieving a political solution to the conflict in the Syrian Arab Republic and to bringing to an end the systematic, widespread and gross violations and abuses of human rights and violations of international humanitarian law,

Recalling the statements made by the Secretary-General and the United Nations High Commissioner for Human Rights that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic,

Recalling also that deliberate attacks on schools and educational and medical facilities may amount to war crimes,

Expressing its deepest concern at the findings of the Independent International Commission of Inquiry on the Syrian Arab Republic,

Deploring the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

Acknowledging the ongoing efforts by human rights defenders active in the Syrian Arab Republic to document violations and abuses of international human rights law and violations of international humanitarian law, despite grave risks,

1. *Calls upon* all Member States, especially members of the International Syria Support Group, to create conditions that foster continued negotiations for a political solution to the Syrian conflict, under the auspices of the United Nations Office at Geneva, by working to strengthen the nationwide ceasefire, to enable full, immediate and safe humanitarian access, and to lead to the release of detainees, as only a durable political solution to the conflict can bring an end to the systematic, widespread and gross violations and abuses of international human rights law and violations of international humanitarian law;

2. *Welcomes* the work of the Independent International Commission of Inquiry on the Syrian Arab Republic, established by the Human Rights Council in its resolution S-17/1 of 23 August 2011 to investigate all alleged violations and abuses of international human rights law since March 2011 in the Syrian Arab Republic, to establish the facts and circumstances and to support efforts to ensure that perpetrators of abuses and violations, including those who may be responsible for crimes against humanity, are held accountable, and notes the importance of the work of the Commission of Inquiry and the information it has collected in support of future accountability efforts, in particular the information on those who have allegedly violated international law;

3. *Demands* that the Syrian authorities cooperate fully with the Human Rights Council and the Commission of Inquiry by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

4. *Strongly condemns* the continued systematic, widespread and gross violations and abuses of human rights and all violations of international humanitarian law by the Syrian authorities and affiliated militias, including foreign terrorist fighters and those foreign organizations fighting on behalf of the Syrian authorities, in particular Hizbullah, and expresses deep concern that their involvement further exacerbates the deteriorating

situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

5. *Also strongly condemns* the terrorist acts and violence committed against civilians by the so-called Islamic State in Iraq and the Levant (Da'esh), Al-Nusrah Front or other terrorist organizations designated by the Security Council, and their continued gross, systematic and widespread abuses of international human rights law and violations of international humanitarian law, reaffirms that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant (Da'esh), cannot and should not be associated with any religion, nationality or civilization, and stresses the importance of the full implementation of Security Council resolution 2170 (2014) of 15 August 2014;

6. *Condemns in the strongest terms* the gross and systematic abuse of women's and children's rights by the so-called Islamic State in Iraq and the Levant (Da'esh), in particular the enslavement and sexual abuse and exploitation of women and girls, enforced disappearances and the forced recruitment and abduction of children;

7. *Condemns* all violations and abuses of international human rights law and all violations of international humanitarian law, including against women and children and persons with disabilities;

8. *Urges* all parties to the conflict, particularly the Syrian authorities and their allies, not to commit indiscriminate attacks against the civilian population and civilian facilities, including against medical facilities, personnel and transport, schools and humanitarian workers, and also urges all parties to comply with their obligations under international humanitarian law and to respect international human rights law;

9. *Strongly condemns* all attacks against hospitals and schools as reported by the Commission of Inquiry,[1] and urges the Syrian authorities to refrain from actions that impede children's access to education, which is of vital importance for their protection and development;

10. *Also strongly condemns* the besiegement and bombardment of eastern Aleppo in the second half of 2016, which, as made clear by the Commission of Inquiry in its report on the events in Aleppo,[1] subjected the civilian population of the city to untold suffering and claimed hundreds of lives;

11. *Expresses its profound concern* at the findings of the Commission of Inquiry in its report, including those suggesting that the offensive against Aleppo involved serious violations and abuses of international human rights law and violations of international humanitarian law by all parties to the conflict, which, according to the Commission, in many cases amounted to war crimes, in particular by the Syrian authorities and their allies;

12. *Urges* all parties to the conflict to heed the recommendations made by the Commission of Inquiry in its report, including the need to comply with their respective obligations under international human rights and international humanitarian law, including refraining from disproportionate and indiscriminate attacks;

13. *Strongly condemns* the widespread practice of enforced disappearance, arbitrary detention and the use of sexual violence, torture and ill-treatment, especially in detention facilities run by the Syrian authorities, including those acts referenced in the reports of the Commission of Inquiry, as well as those depicted in the evidence presented by "Caesar" in January 2014, and notes that such acts may constitute violations and abuses of international human rights law or violations of international humanitarian law;

[1] See A/HRC/34/64 and A/HRC/34/CRP.3.

14. *Also strongly condemns* the reported killing of detainees in Syrian Military Intelligence facilities, in particular in the Mezzeh airport detention facility, and Military Security Branches 215, 227, 235, 248 and 291, as well as the reported killing of detainees at military hospitals, including Tishreen and Harasta, and expresses deep concern at the reports that the regime used a crematorium to conceal a mass killing of prisoners at the Saydnaya penitentiary complex;

15. *Calls upon* the Syrian authorities and all other parties to the conflict to ensure the effective implementation of Security Council resolutions 2139 (2014) of 22 February 2014 and 2254 (2015), and in particular to end the arbitrary detention and torture of civilians in the Syrian Arab Republic, notably in prisons and detention facilities, as well as kidnappings, abductions and forced disappearances, as demanded by the Council in its resolution 2139 (2014);

16. *Condemns* the denial of medical services in all prisons and detention facilities;

17. *Recognizes* the permanent damage that torture and ill-treatment, including sexual abuse and violence, causes to its victims and their families;

18. *Calls for* the appropriate international monitoring bodies to be granted immediate access without undue restriction to all detainees, and for the Syrian authorities to publish a list of all detention facilities;

19. *Calls upon* all parties to the conflict to cease the mistreatment and torture of detainees and to allow access to medical services for all detainees;

20. *Demands* the immediate release of all persons arbitrarily detained, including women, children, human rights defenders, humanitarian aid providers, medical personnel and journalists;

21. *Recalls* the decision of the Security Council that the Syrian Arab Republic shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to other States or non-State actors,[5] and, in keeping with the decision of the Council, expresses its strong conviction that those individuals responsible for the use of chemical weapons in the Syrian Arab Republic should be held accountable;

22. *Welcomes* the report of the Organization for the Prohibition of Chemical Weapons fact-finding mission in the Syrian Arab Republic regarding the incident in Um-Housh on 16 September 2016,[3] and expresses grave concern that victims were exposed to sulfur mustard;

23. *Expresses grave concern* at the reported use of chemical weapons in Khan Shaikhoun on 4 April 2017, notes the update from the fact-finding mission that results of analyses indicate exposure to sarin or a sarin-like substance,[4] and looks forward to seeing further reporting of the fact-finding mission on the incident;

24. *Also expresses grave concern* at the reports of the Organization for the Prohibition of Chemical Weapons Declaration Assessment Team of July 2016 and March 2017, according to which the organization is not able to confirm that the Syrian declaration regarding its chemical weapons programme is complete and accurate, and calls upon the

[5] See Security Council resolution 2235 (2015).

[3] S/2017/400, annex.

[4] See S/2017/400, annex.

Syrian Arab Republic to cooperate fully with the Declaration Assessment Team to further clarify remaining gaps, inconsistencies and discrepancies in its declaration;

25. *Recalls* the reports of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism of 24 August and 21 October 2016,[1] and expresses grave concern at its findings that the Syrian armed forces were responsible for the use of chemical weapons (chlorine) in three attacks in the Syrian Arab Republic – in Taimenes in 2014 and in Qmenas and Sarmin in 2015 – and that the so-called Islamic State in Iraq and the Levant (Da'esh) was responsible for one sulfur mustard attack in the Syrian Arab Republic, in Marea in 2015;

26. *Condemns in the strongest possible terms* the use of chemical weapons in the Syrian Arab Republic, as reported by the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism, which violates the Chemical Weapons Convention, Security Council resolution 2118 (2013) and the decisions of the Executive Council of the Organization, including decision EC-M-33/DEC.1, as well as the use of chemical weapons in contravention of well-established international standards and norms against such use, and expresses its strong conviction that those individuals responsible for the use of chemical weapons must be held accountable;

27. *Demands* that all parties identified in the reports of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism as having been involved in the use of 'toxic chemicals' as weapons desist immediately from any further use;

28. *Strongly condemns* all use of starvation of civilians as a method of combat, and all besiegement directed against civilian populations;

29. *Condemns* the reported forced displacement of populations in the Syrian Arab Republic and its alarming impact on the demography of the country, and calls upon all parties concerned to cease immediately all activities that cause these actions, including any activities that may amount to war crimes and crimes against humanity;

30. *Also condemns* the Syrian authorities' indiscriminate use of heavy weapons and aerial bombardments, including cluster munitions, incendiary weapons, ballistic missiles and barrel bombs, and calls for an immediate end to all attacks against civilians and civilian infrastructure, including medical facilities, personnel and transport;

31. *Stresses* the need to promote accountability for those responsible for the unlawful killings of civilians, and also stresses the importance of holding to account those responsible for all violations of international humanitarian law and violations and abuses of international human rights law;

32. *Strongly condemns* violence against all persons based on their religious or ethnic affiliation;

33. *Demands* that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect the Syrian population lies with the Syrian authorities;

34. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, in particular the destruction of the cultural heritage in Palmyra, and the organized looting and trafficking of Syrian cultural property, as outlined by the Security Council in its resolution 2199 (2015) of 12 February 2015;

[1] See S/2016/738/Rev.1 and S/2016/888.

35. *Affirms* that attacks intentionally directed against human remains may amount to war crimes, and underlines the need to bring the perpetrators of such crimes to justice;

36. *Calls upon* the international community to support the leadership and full and meaningful participation of women in all efforts, including decision-making, with the aim of finding a political solution to the conflict in the Syrian Arab Republic, as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000, 2122 (2013) of 18 October 2013, 2254 (2015), 2268 (2016), 2332 (2016) of 21 December 2016 and 2336 (2016), and welcomes the participation of the Women's Advisory Board and civil society in the United Nations-led talks in order to ensure that all resulting peacebuilding efforts are gender-responsive and consider the differential impact of conflict on women and girls, and their specific needs and interests;

37. *Recalls* that the International Criminal Court was established to help to end impunity for applicable crimes where the State is unwilling or unable to genuinely carry out investigations or prosecutions;

38. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of international human rights law are held to account through appropriate, fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

39. *Welcomes* the establishment of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 by the General Assembly in its resolution 71/248 of 21 December 2016, and stresses the complementary nature of its mandate with that of the Commission of Inquiry;

40. *Invites* Member States to support actively the International, Impartial and Independent Mechanism and to provide adequate financial means for its establishment and functioning;

41. *Reaffirms* that, in the context of an inclusive and credible dialogue, the Syrian people should determine the appropriate process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations and abuses of international law, as well as reparations and effective remedies for victims;

42. *Emphasizes* that all efforts to bring a peaceful conclusion to the ongoing conflict in the Syrian Arab Republic must fully reflect the importance of ensuring accountability for the crimes committed in the country as a prerequisite to bringing about reconciliation and sustainable peace;

43. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence in the Syrian Arab Republic, welcomes the efforts of neighbouring countries to host Syrian refugees, and acknowledges the socioeconomic consequences of the presence of large-scale refugee populations in those countries;

44. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic, and urges the international community to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

45. *Expresses deep concern* at the plight of the roughly four and a half million Syrians living in besieged and hard-to-reach areas in the Syrian Arab Republic, whose needs are particularly acute and who require full, immediate and safe humanitarian access;

86. *Demands* that the Syrian authorities facilitate, and all other parties to the conflict do not hinder, the full, immediate and safe access of the United Nations and humanitarian actors, and that they ensure that the delivery of humanitarian aid reaches populations in need, including in hard-to-reach and besieged areas, in accordance with Security Council resolutions 2139 (2014), 2165 (2014) of 14 July 2014, 2191 (2014) of 17 December 2014, 2254 (2015), 2258 (2015) of 22 December 2015 and 2268 (2016), and calls upon Member States to fully fund the United Nations appeals;

87. *Strongly condemns* the Syrian authorities' removal of humanitarian aid from United Nations approved convoys, including medical aid and supplies intended to reach desperate populations deprived of food, medical aid and vital necessities;

88. *Welcomes* the progress made since 2013 by the international conferences on supporting the Syrian Arab Republic and the region in Kuwait City and London, and the follow-up conference in Brussels on 5 April 2017 hosted by the European Union, the United Kingdom of Great Britain and Northern Ireland, Kuwait, Qatar, Germany, Norway and the United Nations, which reaffirmed international support for the United Nations-led intra-Syrian talks in Geneva, secured pledges totalling 6 billion United States dollars for 2017 and 3.7 billion dollars for 2018–2020 for humanitarian needs in the Syrian Arab Republic and the region, renewed commitment to supporting the resilience of host communities and refugees in Jordan, Lebanon, Turkey, Egypt and Iraq, and underlined the need to protect civilians and to respect international human rights law and international humanitarian law;

89. *Renews its call upon* all members of the international community to respond expeditiously to the Syria 2017 humanitarian appeals and to deliver in full all pledges, including multi-year pledges, made at the Brussels conference;

90. *Notes* those countries outside the region that have put in place measures and policies to assist and to host Syrian refugees, and encourages them to do more, and encourages other States outside the region to consider implementing similar measures and policies, also with a view to providing Syrian refugees with protection and humanitarian assistance;

91. *Reaffirms* that there can only be a political solution to the conflict in the Syrian Arab Republic, and urges the parties to the conflict to abstain from actions that may contribute to the continuing deterioration of the human rights, security and humanitarian situation in order to reach a genuine political transition, based on the Geneva communiqué, consistent with Security Council resolutions 2254 (2015) and 2268 (2016), that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, where all citizens receive equal protection regardless of gender, religion or ethnicity;

92. *Demands* that all parties work urgently towards the comprehensive implementation of the Geneva communiqué, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions;

93. *Decides* to remain seized of the matter.

37th meeting
23 June 2017

[Adopted by a recorded vote of 27 to 8, with 12 abstentions. The voting was as follows:

In favour:

Albania, Belgium, Botswana, Brazil, Côte d'Ivoire, Croatia, El Salvador, Georgia, Germany, Ghana, Hungary, Japan, Latvia, Netherlands, Panama, Paraguay, Portugal, Qatar, Republic of Korea, Rwanda, Saudi Arabia,

Slovenia, Switzerland, Togo, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Bolivia (Plurinational State of), Burundi, China, Cuba, Iraq, Kyrgyzstan, Philippines, Venezuela (Bolivarian Republic of)

Abstaining:

Bangladesh, Congo, Ecuador, Egypt, Ethiopia, India, Indonesia, Kenya, Mongolia, Nigeria, South Africa, Tunisia]

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Human Rights Council
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Agenda item 4

Resolution adopted by the Human Rights Council on 23 June 2017

35/27. Situation of human rights in Belarus

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling all resolutions adopted by the Commission on Human Rights, the General Assembly and the Human Rights Council on the situation of human rights in Belarus, including Council resolution 32/26 of 1 July 2016, and deploring the inadequate response and lack of cooperation by the Government of Belarus to the requests made by the Council in those resolutions, including the denial of access to the Special Rapporteur on the situation of human rights in Belarus and other special procedure mandate holders to the country, while acknowledging the growing openness of Belarus to cooperation with the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe and the European Union,

Recalling also Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

1. *Welcomes* the report of the Special Rapporteur on the situation of human rights in Belarus of 21 April 2017;[1]

2. *Expresses continued concern* at the situation of human rights and fundamental freedoms in Belarus, especially the freedoms of peaceful assembly, association and expression, as demonstrated by the response of the Government of Belarus to the February and March 2017 peaceful protests; the continued allegations of torture and inhuman or degrading treatment by law enforcement and prison officers, which are not properly investigated by the authorities; the ongoing crackdown on human rights defenders and civil society organizations, many of which are denied registration or raided by the authorities; the arrest of journalists in March 2017 and various infringements on freedom of

[1] A/HRC/35/40.

expression, including by the media; and urges the Government to fully respect the freedoms of expression, peaceful assembly and association;

3. *Deplores* the lack of response by the Government of Belarus to cases of arbitrary arrest and detention of political and social activists, the unwillingness of prosecutors to investigate cases of torture and cruel, inhuman and degrading treatment, the impunity of perpetrators of crimes involving human rights violations and abuses, the pressure on defence lawyers and the lack of effective legal remedies; and also deplores the absence of specific and comprehensive anti-discrimination laws, which affects individuals belonging to vulnerable groups and religious minorities;

4. *Reiterates its call upon* the Government of Belarus to carry out a comprehensive review of relevant legislation, policies, strategies and practices to ensure that the provisions are clearly defined, consistent with its international human rights obligations and commitments, and are not used to impede or unduly restrict the exercise of any human right, and to invest in capacity-building and appropriate training of the judiciary and law enforcement agencies;

5. *Welcomes* the adoption by the Government of Belarus on 24 October 2016 of an inter-agency plan on human rights for the period 2016–2019 for the implementation of the recommendations accepted by the Government during the second cycle of the universal periodic review of Belarus and the recommendations by some treaty bodies, encourages the Government to review and amend the plan by including recommendations by human rights mechanisms and by taking into account suggestions made by civil society organizations, and welcomes the submission of the fifth report by the Government on the implementation of the International Covenant on Civil and Political Rights, in March 2017;

6. *Notes* the continued attention paid by the Special Rapporteur to the issue of the death penalty in Belarus, and in particular expresses deep concern at its use without guarantee of due process and at the limited amount of relevant information with regard to its use, and, taking into account that transparency is a requirement of fair and effective criminal justice, requests the Special Rapporteur to continue to monitor developments and to make recommendations;

7. *Urges* the Government of Belarus, in the light of the developments in February and March 2017, to take all measures necessary to ensure the full independence and impartiality of the judiciary, to guarantee the right to a fair trial and the right to an effective review of sentences and convictions by a higher tribunal, and to provide for the right of all defendants to freely choose legal representation throughout all proceedings;

8. *Recalls* that it welcomed the release of political prisoners in August 2015, and called for the full reinstatement of the civil and political rights of former political prisoners; however, political activists continue to be ill-treated and faced with invented charges, while there has been no progress on outstanding cases of enforced disappearance of political opponents;

9. *Urges* Belarus to implement without delay the comprehensive reform of the electoral legal framework and to address long-standing systemic shortcomings pertaining to the electoral legal framework and practices ahead of the local elections early in 2018, following the recommendations made by the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, the European Commission for Democracy through Law (the Venice Commission) and the Special Rapporteur;

10. *Again strongly encourages* the Government of Belarus to establish a national human rights institution in accordance with the principles relating to the status of national

institutions for the promotion and protection of human rights (the Paris Principles), and to engage actively in the implementation of the 2030 Agenda for Sustainable Development;[2]

11. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, and requests the Special Rapporteur to submit a report on the situation of human rights in Belarus to the Human Rights Council at its thirty-eighth session and to the General Assembly at its seventy-third session;

12. *Urges* the Government of Belarus to cooperate fully with the Special Rapporteur, including by providing him access to visit the country in order to assist the Government in fulfilling its international human rights obligations and by considering implementation of his recommendations, and also urges the Government to extend full cooperation to thematic special procedures;

13. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with the assistance and resources necessary to allow the fulfilment of his mandate, and requests the latter to continue to monitor developments and make recommendations.

37th meeting
23 June 2017

[Adopted by a recorded vote of 18 to 8, with 21 abstentions. The voting was as follows:

In favour:

Albania, Belgium, Brazil, Croatia, Germany, Ghana, Hungary, Japan, Latvia, Netherlands, Panama, Paraguay, Portugal, Republic of Korea, Slovenia, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Bolivia (Plurinational State of), Burundi, China, Cuba, Egypt, India, Philippines, Venezuela (Bolivarian Republic of)

Abstaining:

Bangladesh, Botswana, Congo, Côte d'Ivoire, Ecuador, El Salvador, Ethiopia, Georgia, Indonesia, Iraq, Kenya, Kyrgyzstan, Mongolia, Nigeria, Qatar, Rwanda, Saudi Arabia, South Africa, Togo, Tunisia, United Arab Emirates]

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[2] General Assembly resolution 70/1.

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6–23 June 2017
Agenda item 5

Resolution adopted by the Human Rights Council on 23 June 2017

35/28. The Social Forum

The Human Rights Council,

Recalling all previous resolutions and decisions adopted on the Social Forum by the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights, and by the Economic and Social Council,

Recalling also Human Rights Council resolutions 5/1 of 18 June 2007, 6/13 of 28 September 2007, 10/4 of 25 March 2009, 10/29 of 27 March 2009, 13/17 of 25 March 2010, 16/26 of 25 March 2011, 19/24 of 23 March 2012, 24/25 of 27 September 2013, 26/28 of 27 June 2014, 29/19 of 2 July 2015 and 32/27 of 1 July 2016,

Reaffirming the unique nature within the United Nations of the Social Forum, which makes possible a dialogue and an exchange between the representatives of Member States and civil society, including grass-roots organizations and intergovernmental organizations, and stressing that the current reform of the United Nations should take into account the contribution of the Forum as a vital space for open and fruitful dialogue on issues linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all,

1. *Takes note with appreciation* of the report of the Co-Chair-Rapporteurs of the 2016 Social Forum, held in Geneva from 3 to 5 October 2016;[1]

2. *Reaffirms* the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including the contribution of civil society and grass-roots organizations, and stresses the need to ensure greater participation of grass-roots organizations and of those living in poverty, particularly women, especially from developing countries, in the sessions of the Forum;

3. *Underlines* the importance of coordinated efforts at the national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity and of addressing the social dimension and challenges of the

[1] A/HRC/34/69.

ongoing globalization process and the negative impact of the current economic and financial crises;

4. *Stresses* the need for increased and sustained participation and contribution of civil society and all other relevant actors listed in the present resolution to the promotion and effective realization of the right to development;

5. *Decides* that the Social Forum will meet for three working days in 2018, in Geneva, on dates suitable for the participation of representatives of States Members of the United Nations and of the broadest possible range of other stakeholders, especially from developing countries, and also decides that, at its next meeting, the Forum should focus on the possibilities of using sport and the Olympic ideal to promote human rights for all and to strengthen universal respect for them;

6. *Requests* the President of the Human Rights Council to appoint, as early as possible, from candidates nominated by regional groups, the Chair-Rapporteur for the 2018 Social Forum, bearing in mind the principle of regional rotation;

7. *Requests* the United Nations High Commissioner for Human Rights to make available the most recent and relevant United Nations reports and documents on the possibilities of using sport and the Olympic ideal to promote human rights for all and to strengthen universal respect for them as background documents for the dialogues and debates that will be held at the 2018 Social Forum;

8. *Also requests* the High Commissioner to facilitate participation in the 2018 Social Forum, in order to contribute to interactive dialogues and debate at the Forum and to assist the Chair-Rapporteur as resource persons, of no fewer than 10 experts, including representatives of civil society and grass-roots organizations in developing countries;

9. *Decides* that the Social Forum will remain open to the participation of representatives of States Members of the United Nations and all other interested stakeholders, such as intergovernmental organizations, different components of the United Nations system, especially mandate holders of thematic procedures and mechanisms of the human rights machinery, regional economic commissions and specialized agencies and organizations, and representatives designated by national human rights institutions and non-governmental organizations in consultative status with the Economic and Social Council, and will also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, including newly emerging actors, such as small groups and rural and urban associations from the North and the South, anti-poverty groups, peasants' and farmers' organizations and their national and international associations, voluntary organizations, environmental organizations and activists, youth associations, community organizations, trade unions and associations of workers, and representatives of the private sector, on the basis of arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure, in accordance with the rules of procedure of the Human Rights Council, while ensuring the most effective contribution of these entities;

10. *Requests* the High Commissioner to seek effective means of ensuring consultation and the broadest possible participation of representatives from every region, especially from developing countries, in the Social Forum, including by establishing partnerships with non-governmental organizations, the private sector and international organizations;

11. *Requests* the Secretary-General to take appropriate measures to disseminate information about the Social Forum, to invite relevant individuals and organizations to the Forum, and to take all practical measures required for the success of this initiative;

12. *Invites* the 2018 Social Forum to submit a report containing its conclusions and recommendations to the Human Rights Council at its fortieth session;

13. *Requests* the Secretary-General to provide the Social Forum with all the services and facilities necessary to fulfil its activities, and requests the High Commissioner to provide all the support necessary to facilitate the convening and proceedings of the Forum;

14. *Encourages* all Member States to participate in the discussions of the Social Forum so that worldwide representation in the debates can be ensured;

15. *Decides* to continue consideration of this issue at its thirty-eighth session under the same agenda item.

37th meeting
23 June 2017

[Adopted without a vote.]

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Agenda item 5

Resolution adopted by the Human Rights Council on 23 June 2017

35/29. Contribution of parliaments to the work of the Human Rights Council and its universal periodic review

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations and all relevant human rights instruments,

Acknowledging the crucial role that parliaments play in, inter alia, translating international commitments into national policies and laws, including by supporting the implementation of recommendations generated by the international human rights mechanisms, especially the recommendations supported by the State concerned in the framework of the universal periodic review, as appropriate, and hence their contribution to the fulfilment by each State Member of the United Nations of its human rights obligations and commitments and to the strengthening of the rule of law,

Taking note of the successive resolutions adopted by the General Assembly since 2010, in particular its resolutions 65/123 of 13 December 2010, in which the Assembly recognized the importance of continued parliamentary support for the work of the Human Rights Council, and 66/261 of 29 May 2012, in which it encouraged the inter-Parliamentary Union, as the world organization of national parliaments, to strengthen its contribution to the Council, particularly with regard to the universal periodic review, as well as resolution 68/272 of 19 May 2014, in which the Assembly welcomed the contribution of the Inter-Parliamentary Union to the work of the Council,

Recalling Human Rights Council resolutions 22/15 of 21 March 2013, 26/29 of 27 June 2014 and 30/14 of 1 October 2015, on the contribution of parliaments to the work of the Council and its universal periodic review,

Taking note with appreciation of the summary report of the United Nations High Commissioner for Human Rights on the panel discussion on taking stock of the contribution of parliaments to the work of the Human Rights Council and its universal

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periodic review and identifying ways to enhance further that contribution, held on 22 June 2016,[1]

Considering the continued efforts made by the Inter-Parliamentary Union to enhance parliamentary engagement in the work of the Human Rights Council, including its activities with parliaments of States that are reviewed under the universal periodic review, and the collaboration established since 2008 between the Inter-Parliamentary Union and the Committee on the Elimination of Discrimination against Women by, inter alia, making reference to the role of parliaments in the concluding observations of the Committee to States parties,

Noting with interest the recent publication by the Inter-Parliamentary Union, together with the Office of the United Nations High Commissioner for Human Rights, of the *Human Rights Handbook for Parliamentarians No. 26*, to assist parliamentarians in fulfilling their responsibilities to promote and protect human rights,

Considering that the Human Rights Council and parliaments stand to gain considerably from continuing to explore possible synergies to ensure that the universal periodic review has the greatest impact at the national level,

1. *Encourages* States, in accordance with their national legal framework, to promote the involvement of parliaments in all stages of the universal periodic review reporting process through, inter alia the inclusion of the national parliament as a relevant stakeholder in the consultation process for the national report and in the implementation of supported recommendations by the State concerned, and to report on such involvement in their national report and voluntary mid-term reports or during the interactive dialogue session of the universal periodic review;

2. *Welcomes* the growing practice by States under review of including parliamentarians in their national delegations participating in the universal periodic review, and encourages States, as appropriate, to continue this practice;

3. *Invites* the United Nations High Commissioner for Human Rights to provide the Human Rights Council with regular updates on the parliamentary capacity-building and awareness-raising activities carried out by the Office of the High Commissioner in cooperation and coordination with the Inter-Parliamentary Union, and on related activities with regard to the work of the Council and its universal periodic review;

4. *Encourages* all relevant stakeholders to promote and enhance cooperation between their national parliaments and national human rights institutions and civil society in the promotion and protection of all human rights and fundamental freedoms;

5. *Requests* the Office of the High Commissioner to prepare a study, in close cooperation with the Inter-Parliamentary Union and in consultation with States, United Nations agencies and other relevant stakeholders, on how to promote and enhance synergies between parliaments and the work of the Human Rights Council and its universal periodic review, and to present it to the Council at its thirty-eighth session, in order to provide States and other relevant stakeholders with elements that could serve as orientation to strengthen their interaction towards the effective promotion and protection of human rights;

6. *Encourages* all relevant human rights mechanisms to consider the present resolution within the framework of their respective mandates.

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[1] A/HRC/35/16.

7. [illegible] its consideration of this issue under the same agenda item.

37th meeting
23 June 2017

[Adopted without a vote.]

United Nations A/HRC/RES/35/30

General Assembly

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Human Rights Council
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6–23 June 2017
Agenda item 9

Resolution adopted by the Human Rights Council on 23 June 2017

35/30. Consideration of the elaboration of a draft declaration on the promotion and full respect of human rights of people of African descent

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,

Recalling the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international instruments,

Recalling also General Assembly resolution 56/266 of 27 March 2002, in which the Assembly endorsed the Durban Declaration and Programme of Action,

Reaffirming the commitments contained in the Durban Declaration and Programme of Action with regard to people of African descent,

Recalling General Assembly resolution 68/237 of 23 December 2013, by which the Assembly proclaimed the International Decade for People of African Descent, commencing on 1 January 2015 and ending on 31 December 2024, with the theme "People of African descent: recognition, justice and development",

Recalling also General Assembly resolution 69/16 of 18 November 2014, in which the Assembly adopted the programme of activities for the implementation of the International Decade,

Recalling further all previous Human Rights Council resolutions on the comprehensive follow-up to the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action,

Recalling all its previous resolutions on the global elimination of the scourges of racism and racial discrimination,

Recalling also the three Decades for Action to Combat Racism and Racial Discrimination previously declared by the General Assembly, and regretting that the

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Programmes of Action for those Decades were not fully implemented and that their objectives have yet to be attained,

Taking note of all relevant reports of the Working Group of Experts on People of African Descent, and all relevant general recommendations of the Committee on the Elimination of Racial Discrimination,

1. *Recalls* General Assembly resolution 69/16 on the programme of activities for the implementation of the International Decade for People of African Descent, in which the Assembly recommended giving consideration to the elaboration of a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent;

2. *Notes with concern* that, despite advances in international and national law, racism, racial discrimination, xenophobia and related intolerance, direct and indirect, de facto and de jure, continue to manifest themselves in inequality and disadvantage against people of African descent;

3. *Notes* that people of African descent and Africans in the diaspora throughout the world constitute some of the poorest and most marginalized groups;

4. *Acknowledges* that people of African descent can suffer from multiple, aggravated or intersecting forms of discrimination based on other related grounds, such as age, sex, language, religion, political or other opinion, social origin, property, disability, birth or other status;

5. *Calls upon* all Member States to adopt effective measures to accelerate the realization of the programme of activities for the implementation of the International Decade, in partnership with other countries, intergovernmental organizations and civil society, as appropriate;

6. *Reaffirms* the importance of enhancing international cooperation for the prevention and protection of all human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

7. *Urges* States to ensure that activities and objectives for the International Decade are planned and implemented in accordance with paragraph 10 of the programme of activities for the implementation of the Decade, on the basis of full consultation and collaboration with people of African descent;

8. *Requests* the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action:

(*a*) To include in the programme of work for its sixteenth session a one-day meeting to consider the elaboration of a draft United Nations declaration on the promotion and full respect of the human rights of people of African descent;

(*b*) To invite States, relevant United Nations bodies, funds and programmes, intergovernmental organizations, the treaty bodies, the special procedures, regional human rights mechanisms, civil society organizations, academia, national human rights institutions and other relevant stakeholders to participate actively in the aforementioned discussions during the sixteenth session of the Intergovernmental Working Group;

9. *Requests* the Secretary-General to allocate the necessary resources to ensure the participation of civil society organizations, particularly people of African descent, as well as members of academia, in the meeting of the Intergovernmental Working Group, taking into account geographical and gender representation criteria;

10. *Requests* the Intergovernmental Working Group, through its Chair-Rapporteur, to report on the above-mentioned discussion, including any recommendations stemming therefrom, to the Human Rights Council at its fortieth session;

11. *Requests* the Secretary-General to allocate the necessary resources to ensure the participation of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, as well as the Chair of the Committee on the Elimination of Racial Discrimination and the Chair-Rapporteur of the Working Group of Experts on People of African Descent, in the meeting of the Intergovernmental Working Group to contribute to the aforementioned discussions, including on issues related to the format and scope of a possible declaration on the promotion and full respect of human rights of people of African descent;

12. *Encourages* States to engage in national and regional consultations with a view to preparing for the session of the Intergovernmental Working Group;

13. *Decides* to remain seized of this important matter.

37th meeting
23 June 2017

[Adopted without a vote.]

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Agenda item 10

Resolution adopted by the Human Rights Council on 23 June 2017

35/31. Cooperation with and assistance to Ukraine in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and relevant international human rights treaties,

Confirming the primary responsibility of States to promote and protect human rights,

Recalling its resolutions 26/30 of 27 June 2014, 29/23 of 3 July 2015 and 32/29 of 1 July 2016 on cooperation with and assistance to Ukraine in the field of human rights,

Acknowledging the efforts of the United Nations, the Organization for Security and Cooperation in Europe and other international and regional organizations to assist Ukraine in protecting the rights of all persons in Ukraine, as described by the General Assembly in its resolution 68/262 of 27 March 2014, and the progress achieved as well as the challenges and obstacles remaining in this regard,

Welcoming the technical assistance to Ukraine in the field of human rights provided by the Office of the United Nations High Commissioner for Human Rights, and acknowledging the further need for such assistance with due regard to the commitment of the Government of Ukraine to promote and protect human rights on all its territory,

Welcoming also the cooperation of the Government of Ukraine with the Office of the High Commissioner, including its monitoring mission in Ukraine, and with other relevant international and regional human rights mechanisms,

Recognizing the importance of the reports of the Office of the High Commissioner based on the findings of the monitoring mission for the proper assessment of the situation of human rights in Ukraine and an evaluation of the needs for technical assistance to Ukraine in the field of human rights,

Recognizing also the continuing need for ongoing reporting, including on the most serious human rights problems within Ukraine and their root causes,

1. *Welcomes* the oral presentations by the Office of the United Nations High Commissioner for Human Rights to the States members of the Human Rights Council and observers of the findings of the reports of the Office of the High Commissioner on the situation of human rights in Ukraine held, in accordance with Council resolutions 29/23 and 32/29, from the thirtieth to the thirty-fifth sessions of the Council;

2. *Invites* the United Nations High Commissioner for Human Rights to continue to present orally to the States members of the Human Rights Council and observers the findings of each of the reports of the Office of the High Commissioner on the situation of human rights in Ukraine as part of the interactive dialogues, and through the modalities of the Council, in accordance with its resolution 5/1 of 18 June 2007, until the forty-first session of the Council.

37th meeting
23 June 2017

[Adopted by a recorded vote of 22 to 6, with 19 abstentions. The voting was as follows:

In favour:

Albania, Belgium, Côte d'Ivoire, Croatia, Ecuador, Georgia, Germany, Ghana, Hungary, Iraq, Japan, Latvia, Netherlands, Nigeria, Panama, Portugal, Republic of Korea, Rwanda, Slovenia, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Bolivia (Plurinational State of), Burundi, China, Cuba, Philippines, Venezuela (Bolivarian Republic of)

Abstaining:

Bangladesh, Botswana, Brazil, Congo, Egypt, El Salvador, Ethiopia, India, Indonesia, Kenya, Kyrgyzstan, Mongolia, Paraguay, Qatar, Saudi Arabia, South Africa, Togo, Tunisia, United Arab Emirates]

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Agenda item 10

Resolution adopted by the Human Rights Council on 23 June 2017

35/32. National policies and human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations,

Recalling all relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also its resolutions 23/19 of 23 June 2013, 27/26 of 26 September 2014 and 30/24 of 2 October 2015, on national policies and human rights,

Recalling further that States emphasized in the Vienna Declaration and Programme of Action and the 2005 World Summit Outcome[1] that they bear the responsibility, in conformity with the Charter, to develop and encourage respect for human rights and fundamental freedoms for all, without distinction of any kind such as race, colour, sex, language, disability, religion, political or other opinion, national or social origin, property, birth or other status,

Bearing in mind that States should integrate their obligations and commitments under international human rights law into their national legislation in order to ensure that State action at the national level is effectively directed towards the promotion and protection of all human rights and fundamental freedoms,

Noting that State action aimed at the promotion, protection and full realization of human rights and fundamental freedoms at the national level is most effective when fully integrated into national policies based on a human rights perspective,

[1] General Assembly resolution 60/1.

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Reaffirming that all human rights are indivisible, universal, inalienable, interdependent and interrelated and that, therefore, national policies aimed at their promotion and protection will also have a mutually reinforcing effect on their realization,

Recognizing that each State has the right to choose the framework that is best suited to its particular needs at the national level,

Reaffirming the importance of international cooperation to support States in the process of integrating their obligations and commitments under international human rights law into national legislation, and drawing up and carrying out national policies aimed at the full realization of human rights and fundamental freedoms,

Recognizing the important and constructive role that national human rights institutions and civil society can play in the process of drawing up and assessing the impact of national policies aimed at the promotion, protection and full realization of human rights and fundamental freedoms,

Bearing in mind that the technical cooperation offered by the Office of the United Nations High Commissioner for Human Rights, upon the request of and in close cooperation with States, with the aim of integrating human rights into national policies and programmes can be a useful vehicle to support States' compliance with their human rights obligations and their follow-up to recommendations made by United Nations human rights mechanisms,

Affirming that the inclusive participation, as appropriate, of all sectors of society in the development, design, formulation and implementation of and follow-up to policies and programmes affecting the population is critical for the success of such processes,

Recognizing that public policies planned and formulated through participatory, transparent and accessible approaches are a key factor in promoting respect for and safeguarding the realization of human rights,

Recalling General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which the Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, the commitment to working tirelessly for the full implementation of the Agenda by 2030, the recognition in the Agenda that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, the commitment in the Agenda to achieving sustainable development in its three dimensions — economic, social and environmental — in a balanced and integrated manner, building upon the achievements of the Millennium Development Goals and seeking to address their unfinished business, and pledging to contribute to the full implementation of the Agenda by 2030,

Recognizing that the 2030 Agenda for Sustainable Development, of unprecedented scope and significance, is accepted by all countries and is applicable to all, taking into account different national realities, capacities and levels of development and respecting national policies and priorities, moreover, that its 17 goals and 169 targets are universal and involve the entire world, developed and developing countries alike, and are aimed at ensuring that no one is left behind,

Noting that the 2030 Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law, and is grounded in the International Bill of Human Rights and international human rights treaties, that it is informed by other instruments, such as the Declaration on the Right to Development, and that it is to be implemented in a manner that is consistent with the rights and obligations of States under international law,

1. *Welcomes* the expert workshop to discuss effective, inclusive and participatory mechanisms and methodologies to mainstream human rights in the formulation and implementation of public policies, held on 5 September 2016, and takes note with appreciation of the summary report of the Office of the United Nations High Commissioner for Human Rights on the expert workshop;[1]

2. *Emphasizes* that the 2030 Agenda for Sustainable Development offers entry points for inclusive and participatory implementation of plans and national policies, while mainstreaming human rights towards a more balanced and integrated plan of action for achieving sustainable development that reflects the indivisibility and interdependence of all human rights;

3. *Encourages* States to give due consideration to information, observations and recommendations from human rights mechanisms, including the universal periodic review, when implementing and monitoring progress on the 2030 Agenda;

4. *Encourages* regional and international human rights systems to provide technical assistance and capacity-building to States, upon request, in order to enable them to fulfil their human rights obligations and related commitments through the said processes;

5. *Acknowledges* the efforts made by the Office of the United Nations High Commissioner for Human Rights in both technical assistance and capacity-building, upon request and in close cooperation with States, to align laws, policies, institutions and practices with their human rights obligations and commitments, to implement universal periodic review recommendations supported by the States concerned and to follow up on recommendations made by other United Nations human rights mechanisms;

6. *Encourages* the Office of the High Commissioner to enhance further the efforts aimed at supporting these measures in order that national policies, programmes and strategies, by including human rights obligations in their formulation and execution, have a positive impact on the effective implementation of the Sustainable Development Goals;

7. *Recommends* that States integrate into their national policies a human rights perspective aimed at the promotion, protection and full realization of human rights and fundamental freedoms, and take into consideration the views of civil society in the process;

8. *Requests* the Office of the High Commissioner to prepare a compilation of good practices, challenges, lessons learned and recommendations in mainstreaming human rights as enshrined in international human rights law, into national policies, in order to contribute to the achievement of the Sustainable Development Goals, in consultation with States, relevant United Nations agencies, funds and programmes, intergovernmental organizations, treaty bodies, special procedures, regional human rights mechanisms, national human rights institutions, civil society organizations, academia and other relevant stakeholders, including through informal regional consultations, and to submit it to the Human Rights Council at its forty-first session;

9. *Requests* the Advisory Committee to contribute during the consultation process, including by the participation of its members in the informal consultations, and to prepare a study that could help States to implement the 2030 Agenda by integrating human rights into national policies on the basis of the compilation prepared by the High Commissioner, and to present it within its regular reporting cycle to the Human Rights Council by the forty-fifth session, on the occasion of the fifth anniversary of the adoption of the 2030 Agenda for Sustainable Development;

[1] A/HRC/34/35.

10. *Encourages* States to support the Office of the High Commissioner and the members of the Advisory Committee in this endeavour, taking into account the importance of sharing good practices across regions and of international cooperation;

11. *Invites* the Office of the High Commissioner and relevant United Nations bodies, agencies, funds and programmes and other relevant stakeholders to cooperate with States in providing technical assistance, upon request, to the States concerned, with the purpose of assisting them in integrating human rights into national policies and programmes so that national policies aimed at achieving the Sustainable Development Goals contribute to the enjoyment of human rights;

12. *Decides* to remain seized of this issue.

37th meeting
23 June 2011

[Adopted without a vote.]

United Nations A/HRC/RES/35/33

General Assembly

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Agenda item 10

Resolution adopted by the Human Rights Council on 23 June 2017

35/33. Technical assistance to the Democratic Republic of the Congo and accountability concerning the events in the Kasai regions

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming that all States have a responsibility to promote and protect the human rights and fundamental freedoms enshrined the Universal Declaration of Human Rights, and other relevant instruments to which they are parties, including the International Covenants on Human Rights, and to fulfil their obligations under those treaties and agreements,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also Human Rights Council resolution 33/29 of 30 September 2016 and its previous resolutions on the situation of human rights and technical assistance in the Democratic Republic of the Congo,

Recognizing the important role of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the United Nations Joint Human Rights Office in the Democratic Republic of the Congo in documenting human rights violations and in improving the situation of human rights in the country,

Gravely concerned by the recent reports of a wave of violence, serious and gross human rights violations and abuses, and violations of international humanitarian law in the Kasai regions perpetrated by all, including those involving recruitment and use of child soldiers, sexual and gender-based violence, destruction of houses, schools, places of worship, and State infrastructure by local militias, as well as of mass graves,

Strongly condemning the killing of two members of the Group of Experts on the Democratic Republic of the Congo established pursuant to Security Council resolution 1533 (2004) of 12 March 2004, Ms. Zaida Catalán and Mr. Michael Sharp, who were killed in Central Kasai while discharging their mandate,

Deeply alarmed by the humanitarian consequences of the violence affecting civilian populations in the Kasai regions, which have led to more than 1.27 million internally

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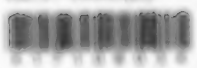

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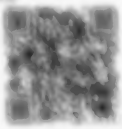

Deplored persons inside the country and at least 40,000 seeking refuge in neighbouring countries,

Taking note of the Security Council press statements on the situation in the Democratic Republic of the Congo of 24 February and 4 May 2017,

Taking note also of the press release by the United Nations High Commissioner for Human Rights of 9 June 2017 on the need to complement national efforts,

Stressing its commitment to the fight against impunity with a view to ensuring the non-occurrence of human rights violations and abuses,

1. *Condemns in the strongest terms* all the violence, incitement to hatred and ethnic violence, human rights violations and abuses as well as violations of international humanitarian law witnessed in the Democratic Republic of the Congo, in particular those carried out in the Kasai regions since August 2016, including those involving ethnically motivated violence, violence and abuses against women and children, unlawful recruitment and use of child soldiers, assassinations, extrajudicial killings, enforced disappearances, rapes and other forms of sexual and gender-based violence, cases of mistreatment or torture and other cruel, inhuman or degrading treatment or punishment;

2. *Urges* the Government and all the relevant institutions of the Democratic Republic of the Congo to take all the necessary measures to prevent all violations of international humanitarian law and all the human rights violations and abuses in the Democratic Republic of the Congo, in particular when they constitute war crimes or crimes against humanity, and to hold accountable all those responsible, regardless of their political affiliation;

3. *Emphasizes* the individual responsibility of all stakeholders to act in strict compliance with the rule of law and human rights;

4. *Urges* the Government of the Democratic Republic of the Congo to respect, protect and guarantee all human rights and fundamental freedoms for all, in accordance with the State's international obligations, and to respect the rule of law;

5. *Recalls* that the Government of the Democratic Republic of the Congo bears the primary responsibility to protect all civilians within its territory, and urges it to exercise maximum restraint and proportionate lawful use of force in its efforts to restore order, in accordance with international law;

6. *Commends* the role played by regional and international organizations as well as neighbouring countries in providing protection and assistance to all people affected by the crisis in the Kasai regions;

7. *Calls upon* the Government of the Democratic Republic of the Congo to continue its cooperation with the Office of the United Nations High Commissioner for Human Rights, the United Nations Joint Office for Human Rights in the Democratic Republic of the Congo, the Human Rights Council and its special procedures, and underlines the necessity for the United Nations Joint Office for Human Rights to have unfettered and timely access to the whole territory, in particular to the Kasai regions, to operate without hindrance and to have access to all relevant persons and documents;

8. *Welcomes* the commitment of the Government of the Democratic Republic of the Congo to continue its efforts through joint investigations on human rights violations and abuses and violations of international humanitarian law perpetrated in the Kasai regions with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the United Nations Joint Office for Human Rights, in association with the African Union, as announced by the Minister for Human Rights during the interactive dialogue on the Democratic Republic of the Congo of 22 March 2017;

9. *Takes note* of the initial results of the national investigation into the allegations of human rights violations and abuses committed in the Kasai regions;

10. *Requests* the United Nations High Commissioner for Human Rights to dispatch a team of international experts, including experts from the region, to collect and preserve information, to determine the facts and circumstances in accordance with international standards and practice, and while ensuring the protection of all persons who will cooperate with the team, in cooperation with the Government of the Democratic Republic of the Congo, including by facilitating visits and access to the country, sites and persons, concerning alleged human rights violations and abuses, and violations of international humanitarian law in the Kasai regions, and to forward to the judicial authorities of the Democratic Republic of the Congo the conclusions of this investigation in order to establish the truth and to ensure that the perpetrators of deplorable crimes are all accountable to the judicial authorities of the Democratic Republic of the Congo;

11. *Also requests* the High Commissioner to present an oral update, and to invite the team to participate in an enhanced interactive dialogue at its thirty-seventh session, and requests the High Commissioner to present a comprehensive report with the team's findings, and to invite the team to participate in an interactive dialogue at its thirty-eighth session;

12. *Requests* the Office of the High Commissioner to provide the necessary technical assistance to the Government of the Democratic Republic of the Congo regarding its investigations into the allegations of human rights violations and abuses committed in the Kasai regions;

13. *Requests* that the Office of the High Commissioner receive all necessary and appropriate resources for the conduct of this mandate;

14. *Decides* to remain seized of the situation.

37th meeting
23 June 2017

[Adopted without a vote.]